EXHIBIT 1
TO REPORT OF EXAMINATION
APPLICATION # KITT-06-09

Page 119, lines 1 through 14, replace with:

CLAIMANT NAME:	**Gerald J. Griffith**	COURT CLAIM NO. 00756
Source:	Big Creek	
Use:	Irrigation of 17 acres and stock watering	
Period of Use:	May 1 to September 1 for irrigation, continuous for stock watering	
Quantity:	0.34 cubic foot per second, 81.60 acre-feet per year for irrigation; 0.156 cubic foot per second from September 2 to November 15, 0.222 cubic foot per second from November 16 to February 29, 0.156 cubic foot per second from March 1 to April 30, and 0.02 cubic foot per second from May 1 to September 1 and 0.90 acre-foot per year for stock watering	
Priority Date:	**June 30, 1889**	
Point of Diversion:	1100 feet north and 750 feet east from the south quarter corner of Section 29, being within the SW¼SE¼ of Section 29, T. 20 N., R. 14 E.W.M.	
Place of Use:	That part of the S½NE¼ Section 29, T. 20 N., R. 14 E.W.M. lying south of the Kittitas Reclamation District Canal and easterly of Big Creek, EXCEPT the east 400 feet thereof.	
Limitations of Use:	The instantaneous quantity authorized for stock watering from May 1 to September 1 is not in addition to that authorized for irrigation. When there is a surplus of water in the creek and all existing rights are being satisfied, up to 0.68 cubic foot per second and an additional 20 acre-feet per year may be diverted as long as no more than 6.8 cubic feet per second is being diverted into the Lund Ditch by all of the Big Creek Waterusers.	

EXHIBIT 2
TO REPORT OF EXAMINATION
APPLICATION # KITT-06-09

DECLARATION OF GERALD J. GRIFFITH

My name is Gerald J. Griffith. I am over the age of 18, competent to testify herein. I testify herein based upon my own personal knowledge and belief.

Until 2005 I owned the property which had appurtenant to it the water right described on hereto as Appendix "A" attached hereto and incorporated herein by reference.

This water right authorized me as the owner of the property to divert from Big Creek water for the irrigation of 17 acres and for stock watering. The water is diverted at the point of diversion which is 1100 feet north and 750 feet east from the South ¼ corner of Section 29, which is located within the SW ¼ of the SE ¼ of Section 29, Township 20 North, Range 14 East, W.M.

I acquired this property in 1924. At the time I acquired it, the property was irrigated from Big Creek. At the time I acquired the property there was approximately 17 acres of the property that was flood irrigated to raise Timothy and Alfalfa hay. To the best of my knowledge, information and belief and consistent with testimony given in *Ecology v. Acquavella et. al.*, Yakima County Cause No. 77-2-01484-5, these 17 acres have been continuously irrigated since the "Big Creek Adjudication" in 1924 which I understand was referred to as *State of Washington vs. Lund*, Kittitas County Superior Court Cause No. 6759.

From the time I acquired the property until I sold it in 2005 I diverted water from Big Creek and used it to irrigate 17 acres of Timothy hay and Alfalfa on the property. In addition, in the *Acquavella* water rights adjudication the property was awarded stock water rights. During the entire time I owned and occupied the property I used stock water consistent with the quantity confirmed in the *Acquavella* water rights adjudication and as set forth in the description of the water right on Appendix "A".

The conditional final order in Subbasin 2 in the *Acquavella* water rights adjudication was entered on February 13, 1997. Since February 13, 1997 and until I vacated the property in 2005 I used water from Big Creek consistent with the water right confirmed on Appendix "A".

I sold the property in 2005 without the water rights and contemporaneously with the sale I entered into a Purchase and Sale Agreement to sell the water rights to Chateau Ste. Michelle.

I've made this declaration for the purposes of establishing that between 1997 when the Sub basin 2 *Acquavella* conditional final order was entered and 2005 the water right depicted on Appendix "A" was continuously beneficially used for the purposes stated therein.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Olympia, Washington. on this 6 day of June, 2006.

Gerald J. Griffith

Page 119, lines 1 through 14, replace with:

CLAIMANT NAME:	Gerald J. Griffith	COURT CLAIM NO. 00756
Source:	Big Creek	
Use:	Irrigation of 17 acres and stock watering	
Period of Use:	May 1 to September 1 for irrigation, continuous for stock watering	
Quantity:	0.34 cubic foot per second, 81.60 acre-feet per year for irrigation; 0.156 cubic foot per second from September 2 to November 15, 0.222 cubic foot per second from November 16 to February 29, 0.156 cubic foot per second from March 1 to April 30, and 0.02 cubic foot per second from May 1 to September 1 and 0.90 acre-foot per year for stock watering	
Priority Date:	June 30, 1889	
Point of Diversion:	1100 feet north and 750 feet east from the south quarter corner of Section 29, being within the SW¼SE¼ of Section 29, T. 20 N., R. 14 E.W.M.	
Place of Use:	That part of the S½NE¼ Section 29, T. 20 N., R. 14 E.W.M. lying south of the Kittitas Reclamation District Canal and easterly of Big Creek, EXCEPT the east 400 feet thereof.	
Limitations of Use:	The instantaneous quantity authorized for stock watering from May 1 to September 1 is not in addition to that authorized for irrigation. When there is a surplus of water in the creek and all existing rights are being satisfied, up to 0.68 cubic foot per second and an additional 20 acre-feet per year may be diverted as long as no more than 6.8 cubic feet per second is being diverted into the Lund Ditch by all of the Big Creek Waterusers.	

EXHIBIT 3
TO REPORT OF EXAMINATION
APPLICATION # KITT-06-09

Geology and Hydrology

of

Big Creek

Surface Water to Groundwater

Water Right Change

For

LCU, INC.

Date

July 18, 2006

By

Water Resources Management

Sanfrid J. (Jim) Milton, P.E

Big Creek Properties

Project Location

Project properties are located on Big Creek in the Roslyn Basin of the Upper Yakima River Basin. The location is approximately 10 miles West of Cle Elum and South of I-90 at the mouth of the Big Creek valley. See Attachment No. 1, TOPO, Vicinity Map for existing Point of Diversion (POD), Existing Place of Use (POU), proposed "Well Site" and approximate "Property Line" for proposed place of use. The project proponent proposes to provide domestic water service for approximately 200 units on 340 acres of vacant timber lands. See Attachment No. 2 for Kittitas County Assessor's Map, Big Creek. For purposes of this report, domestic water service for 200 units will be used for analysis. The properties are in Township 20 N, Range 14 E., in the south east quarter (SE 1/4) of Section 29 and in the NE 1/4 of Section 32 with a small portion in the SW ¼ of Section 28 and the NE ¼ of Section 33. The proposal includes changing seasonal irrigation water rights to year-round domestic use, which is the focus of this report.

Water Right Change Criteria

In order to change a water right, state law requires that it be shown that the annual consumptive quantity will not be increased. Also, that existing water rights will not be impaired. The Department of Ecology's unofficial policy is that this transfer from surface water diversion to groundwater withdrawal must be from the same body of water. Therefore it will be shown that the alluvial aquifer from which the proposed well will withdraw water is the same body of water as the surface waters of Big Creek.

It must also be shown that the use of groundwater will not cause the impairment of existing groundwater uses or the impairment of existing surface water uses. To convert from seasonal use to year-round use it must be shown that Total Water Supply Available (TWSA) as managed by the U. S. Bureau of Reclamation (Reclamation) for contract water users and for in stream beneficial uses shall not be diminished and that there will not be the need for Reclamation to release water from storage to meet new surface water uses or to maintain in steam flows diminished by those uses.

Existing Seasonal Irrigation Water Rights

The existing water rights for the proposed project consist of 85 acre-feet of seasonal irrigation water (May 1 to September 1) used on 17 acres of pasture land. This water right is proposed to be changed to year-around domestic/municipal use. Assuming 18.11 inches per acre (Crop Irrigation Requirement) from Washington Irrigation Guide (WIG) and an additional 5% use for efficiency losses associated with flood irrigation this calculates to be a consumptive use of 26.86 acre-feet per year of existing pasture crop.

Future Domestic/Municipal Use

The proposed use is for year-round domestic/municipal use is projected to average 242 (See Table 1 below) gallons per day (GPD) per unit for up to 200 units.

TABLE 1
Projected Year Around Use Of Domestic Water Use.

Month	Total hook ups	Per House per day	Gallons per day	Cubic Feet per Day	Acre Feet per Day	Acre Feet per Month
January	200	125	25,000	3,342.25	0.08	2.38
February	200	125	25,000	3,342.25	0.08	2.23
March	200	175	35,000	4,679.14	0.11	3.33
April	200	200	40,000	5,347.59	0.12	3.68
May	200	300	60,000	8,021.39	0.18	5.71
June	200	375	75,000	10,026.74	0.23	6.91
July	200	400	80,000	10,695.19	0.25	7.61
August	200	400	80,000	10,695.19	0.25	7.61
September	200	300	60,000	8,021.39	0.18	5.52
October	200	200	40,000	5,347.59	0.12	3.81
November	200	175	35,000	4,679.14	0.11	3.22
December	200	125	25,000	3,342.25	0.08	2.38
Average Use		242				
Total Usage						54.38

Non-Consumptive Return Flows

Ecology, in past water right change decisions, has used a Pollution Control Hearings Board (PCHB), decision to limit the transfer of irrigation water to domestic use to the consumptive portion of the existing water right. In order to avoid this restriction the proponent has proposed to treat waste water to state water re-use standards as provided for in RCW 90.46. This will allow the waste waters to be returned to groundwater and/or surface water without the above mentioned restriction.

Wastewater Treatment Strategy

The proponent proposes to collect and treat domestic wastewater using membrane treatment technology, meeting water re-use standards as provided for in RCW 90.46, in order to make the project water neutral. Well water for domestic purposes will be metered. Wastewater will again be metered at the point of treatment. The difference in these two points of metering flows will be the consumptive use. Water will be stored in a lined pond such that flow can be released as surface percolation to groundwater through an aquifer recharge system or as stream flow augmentation as provided for in RCW 90.46.080 or 100 equal to the consumptive use. This strategy will preclude any negative impacts to TWSA and maintain non-irrigation season flows to the system such that there

will be no negative reductions in flow that would require Reclamation releases from storage.

Re-Use Strategy

As a result of the proposed re-use/re-cycle strategy only a portion of the existing water right will need to be converted to domestic/municipal use. Assuming an average of 30% domestic consumptive use, for the year, the proposed domestic/municipal average annual consumptive use is 16.32 acre-feet per year. To this consumptive use must be added the evaporation losses from the storage pond that will provide water for release to off set the above calculated consumptive use.

Assuming a two-acre surface area pond with 18 inches average net evaporation per year pond evaporation will average three acre-feet per year. An additional allowance of six inches per acre or one acre-foot will be allowed for dry year evaporation. Therefore four (4) acre-feet of existing water right will be consumed as evaporative losses.

Total Proposed Consumptive Use

The total consumptive uses are calculated as the sum of the 8.35 acre feet during the irrigation season (See Table 2) and 7.96 acre feet during the non irrigation season (See Table 3) for a total of 16.32 acre feet domestic/municipal consumptive use plus the four (4) acre-feet of evaporative losses for a total of 20.32 ac-ft of total consumptive use.

The difference between the existing 26.86 acre-feet of consumptive use and the proposed domestic/municipal consumptive use plus pond evaporation of 20.32 acre-feet is 6.54 ac-ft. This quantity of consumptive use will be available for future expansion of the proposed domestic water system. The municipal water law (RCW 90.03) will provide this protection.

Total Non-Consumptive Use

The total proposed domestic use of 54.38 ac-ft minus the 20.32 ac-ft consumptive use, calculated above, results in the need to utilize 34.06 ac-ft of non-consumptive water to meet the proposed domestic/municipal uses. This quantity of water will be treated to re-use standards and discharged to surface waters or recharged to groundwater as allowed by RCW 90.46. Of the 58.14 ac-ft of existing non-consumptive water right there will remain 24.08 ac-ft of the existing non-consumptive water right.

TABLE 2 - WATER USAGE DURING IRRIGATION SEASON (IN YELLOW)							
						Total Water Used	Consumptive
					Total Water	During Irrigation	Use During
Months	Total	Per House	Acre Feet	Acre Feet	Consumed	Season	Irrigation Season
	hook ups	per day	per Day	per Month	per Month	(Acre Feet)	(Acre Feet)
January	200	125	0.08	2.38	0.71		
February	200	125	0.08	2.23	0.67		
March	200	175	0.11	3.33	1.00		
April	200	200	0.12	3.68	1.10		
May	200	300	0.18	5.71	1.71	5.71	1.71
June	200	375	0.23	6.91	2.07	6.91	2.07
July	200	400	0.25	7.61	2.28	7.61	2.28
August	200	400	0.25	7.61	2.28	7.61	2.28
September	200	300	0.18	5.52	1.66		
October	200	200	0.12	3.81	1.14		
November	200	175	0.11	3.22	0.97		
December	200	125	0.08	2.38	0.71		
Totals per year				54.38	16.32	27.84	8.35

TABLE 3 - WATER USAGE DURING NON-IRRIGATION SEASON (IN BLUE)							
						Total Water Used	Consumptive
					Total Water	During Non-Irrigation	Use During Non
Months	Total	Per House	Acre Feet	Acre Feet	Consumed	Season	Irrigation Season
	hook ups	per day	per Day	per Month	per Month	(Acre Feet)	(Acre Feet)
January	200	125	0.08	2.38	0.71	2.38	0.71
February	200	125	0.08	2.23	0.67	2.23	0.67
March	200	175	0.11	3.33	1.00	3.33	1.00
April	200	200	0.12	3.68	1.10	3.68	1.10
May	200	300	0.18	5.71	1.71		
June	200	375	0.23	6.91	2.07		
July	200	400	0.25	7.61	2.28		
August	200	400	0.25	7.61	2.28		
September	200	300	0.18	5.52	1.66	5.52	1.66
October	200	200	0.12	3.81	1.14	3.81	1.14
November	200	175	0.11	3.22	0.97	3.22	0.97
December	200	125	0.08	2.38	0.71	2.38	0.71
Totals per year				54.38	16.32	26.55	7.96

Impact to TWSA and Storage Releases

The proponent has proposed that water storage be provided on the development sight. This storage reservoir would provide storage capacity such that it would be filled with an unused portion of the consumptive portion of the existing irrigation water during the irrigation season and said water would be released into the groundwater or surface water during the non irrigation season to insure that there would be no impact to TWSA. This release of water will be made in order to make up for the consumptive use of the future domestic/municipal supply during the non irrigation season.

Prospective Well Locations

Two tentative well locations have been proposed. No final decision has been made on where a well or wells will be drilled. The owners have proposed locations near the northern property line on either side of Big Creek. Final well location/s will require consideration of input received on this transfer process, test drilling, water availability, state health considerations for the quality of the well and protection from other components of the project such as treatment facility location, re-cycled water discharge and/or recharge areas.

Hydro-Geologic Setting

A copy of a Geologic Map, USGS - Snoqualmie Pass, Washington is provided as Attachment No. 3. A Big Creek-Detail, Attachment No. 4 shows the underlying basal materials (Kes and Ked) forming the upper Big Creek valley and Roslyn basin as well as the alluvial deposits (Qa and Qag) of the valley floor to the Yakima River. Attachment No. 5 "Detail" Cross-Section C-C' intersecting Big Creek and the Yakima River, through the Roslyn Basin, shows the relatively thin layer of alluvium in the Big Creek valley, over the basal materials, in the upper Big Creek basin as compared to the thicker alluvial deposits as Big Creek flows toward the Yakima River. Attachments No. 6, List of Map Units, and Attachment No. 7 Description of Map Units provide supporting information.

Also provided, as Attachment No. 8, is a more detailed description of the hydrogeology of the Roslyn Basin, from the USGS Groundwater Study of the Yakima Basin. Attachment No. 9 provides Maps and Hydrogeologic Sections of the Roslyn Basin. Attachment No. 10, Figure 6 shows the location of the Roslyn Basin in relation to the Yakima basin. Attachment No. 11, Figure 7 shows the structure delineating the sedimentary basins of the Yakima basin. A "Detail" map of the Big Creek to Little Creek area, Attachment No. 12, is provided showing the Roslyn Basin, basin-fill deposits. Alluvial, lacustine and glacial deposits typify this upper Yakima River, Roslyn alluvial basin. These deposits are accumulated in the Yakima River valley basins and tributary basins such as Big Creek, which feed into the Roslyn basin.

Aquifer Description

The WDOE water well records were searched for wells in the vicinity of the project. Eleven (11) well logs were located in Section 29 and 31well logs in Section 28. However, only three (3) well logs were in the SW ¼ of Section 28 and considered in this analysis. Attachment No. 13 is a Big Creek, Well Log Images Map. A copy of the Water Rights Tracking System (WRTS) Report was obtained from Ecology for Big Creek.

A review of the well logs shows that the most productive well is to the west of Big Creek in the SW of the NE of Section 29. This well was drilled to 60 feet and produced 60 gallons per minute. A 34 GPM well, pumped year-round, would produce approximately 242 gallons per unit per day for the proposed 200-unit development.

Other existing well logs reviewed showed wells produced lesser amounts of water. Wells were drilled into the alluvial aquifer above the basal Shuksan Greenschist or Darrington Phyllite to well depths ranging form 52 to 95 feet. The top of the water table was reported as being from 20 to 58 feet from the surface with wells producing from 8 to 25 GPM. Optimistically, one well might be drilled producing 30+ GPM. More realistically multiple wells may be required for this project.

Groundwater Aquifer Characteristics

The above mentioned well log records were further reviewed for aquifer characteristics. Sand and gavel zones in the alluvial sediments appeared to be the dominant sources of productive water supply.

Test Wells and Re-Charge Area

The proponent proposes to drill one or possibly two test wells in the immediate future. Upon drilling and pump testing, information will be available for modeling the potential impacts of these wells on other wells in the vicinity for impairment. Additionally a recharge area would be created so that the impacts of both pumping and recharge could be evaluated.

Surface Water Impairment

Surface water flows will be improved due to reduced diversion of flows for irrigation and the treatment and recharging of wastewater and stored water to the surface or ground waters. Currently 26.86 ac-ft of water is consumptively used for irrigation. The new irrigation season domestic/municipal use will be 8.35 ac-ft plus the majority of the assumed 4.0 ac-ft of pond evaporation. This leaves 14.01 ac-ft to release to surface or groundwater or store for wintertime release. Discharged water will offset consumptive uses during both the irrigation season and non-irrigations season. There will be no impairment to downstream surface water withdrawals. A map of a Big Creek- Detail of the Yakima River Adjudication: Sub-Basin 02, Easton Basin is provided as Attachment No. 15.

Fisheries Impacts

The Washington Conservation Commission's Salmon Habitats Limiting Factors Analysis, Yakima River Watershed, page 298-301, October 2001, describes the Big Creek watershed as being supportive of spring Chinook and steelhead juvenile rearing and the potential for steelhead spawning in the lower reaches. It is known to have produced steelhead in the past and has the potential to produce steelhead, Coho, and spring Chinook. The major habitats limiting production are an impassable dam and unscreened irrigation diversion. The dam has been replaced with a dam, screening facility and pressurized transmission line to enhanced irrigation systems below. This has improved in stream flows to the mouth of Big Creek.

The amount of water diverted from the newly constructed diversion will be reduced by moving this water right to a pumped groundwater withdrawal.

As a result of this water right change it is anticipated that stream flows in Big Creek will be improved during the irrigation season. This is due to the fact that waters previously diverted only during the irrigation season will be reduced in order to provide water for off-season domestic/municipal use. Furthermore water will be treated for return to adjacent ground or surface waters and water stored to make up for the quantity of water consumptively used

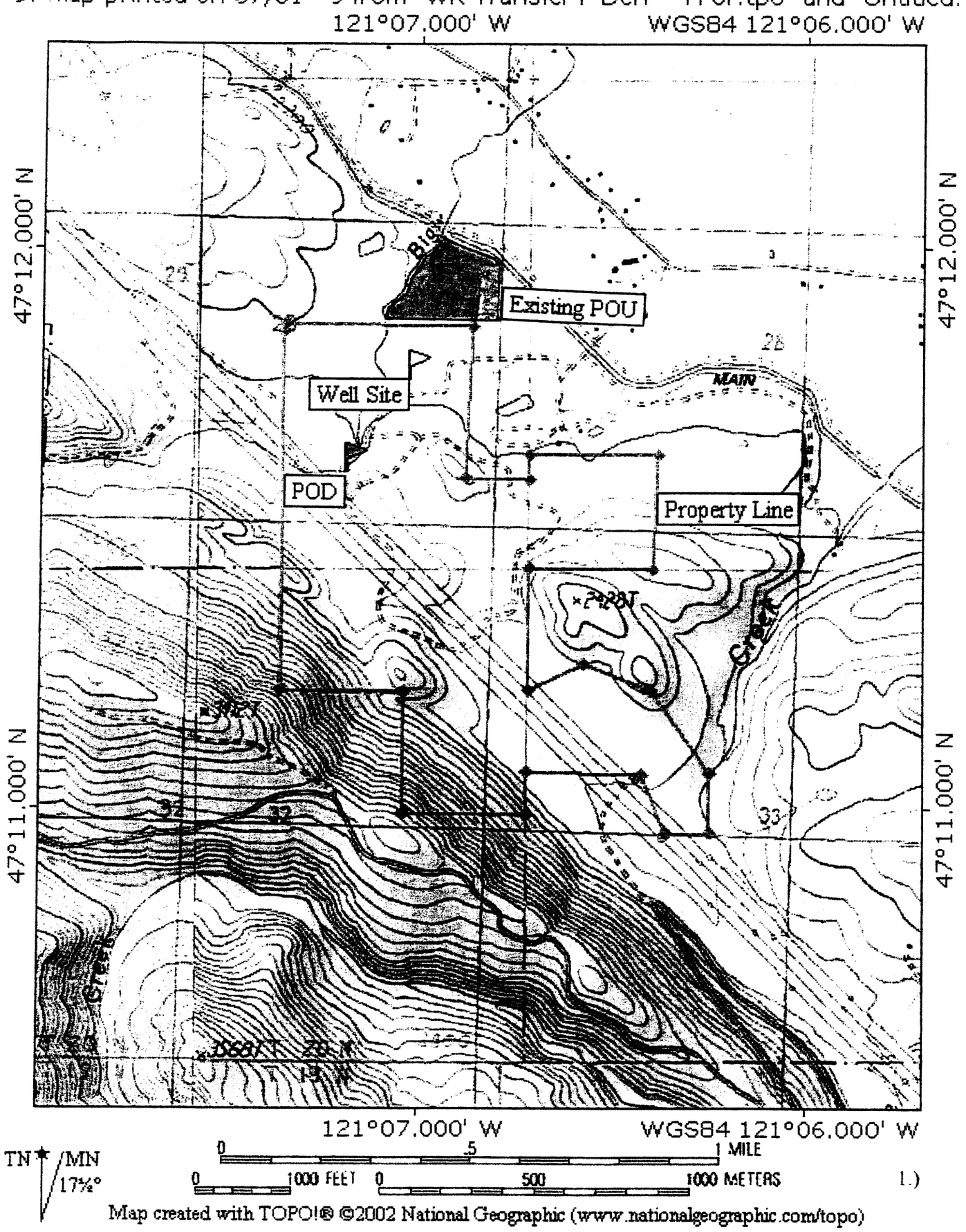
During the non-irrigation season, more water will be withdrawn from the stream via the indirect withdrawal of groundwater. However, as has been discussed the proponent has proposed treating domestic waste water to re-use standards and discharging waste water back to the surface waters of Big Creek or to shallow groundwater adjacent to it. Additionally, the estimated winter time consumptive quantity will be stored and released back as mitigation flows thus eliminating any TWSA or storage issues with Reclamation.

Summary

This proposal will exchange surface water for groundwater from the same body of water. No expansion of consumptive quantity will occur. Mitigation is proposed to treat wastewater to re-use standards and to be discharged to surface or ground waters in order to obtain total credit for return flows from Domestic Uses. Additionally, water will be stored for discharge equal to the consumptive quantity so there will be no issues with TWSA or the need for storage releases by Reclamation.

ATTACHMENTS

1.) TOPO Vicinity Map, Property & Well Location
2.) Kittitas County, Assessors Map, Big Creek
3.) Geologic Map, Snoqualmie Pass, Tabor,
4.) Big Creek – Detail, Geologic Map, USGS – Snoqualmie Pass
5) Big Creek – Detail, Cross Section C-C', USGS – Snoqualmie Pass
6.) List of Map Units, USGS – Snoqualmie Pass
7.) Description of Map Units, USGS – Snoqualmie Pass
8.) Roslyn Basin, USGS, SIR 2006-5116
9.) USGS, Maps and Hydrogeologic Sections, Roslyn Basin, WA, 2006
10.) USGS Figure 6
11.) USGS Figure 7
12.) Detail, Big Creek to little Creek, Roslyn Basin, USGS, SIR 2006-5116, Plate 1
13.) Big Creek - Well Log Images Map
14.) Water Right Tracking System, Big Creek, WDOE
15.) Big Creek-Detail, Yakima River Adjudication: Sub-Basin 2, Easton
16.) Habitat Limiting Factors, p. 298-301, WCC, November 2001


map printed on 07/01 from "WR Transfer P Den n Por.tpo" and "Untitled.
121°07.000' W
WGS84 121°06.000' W
47°12.000' N
47°11.000' N
Existing POU
Well Site
POD
Property Line
MAIN
Creek
121°07.000' W
WGS84 121°06.000' W
TN
MN
17½°
0 .5 1 MILE
0 1000 FEET 0 500 1000 METERS
Map created with TOPO!® ©2002 National Geographic (www.nationalgeographic.com/topo)

KITTITAS COUNTY

ASSESSOR'S OFFICE

Lind LN

Big Creek

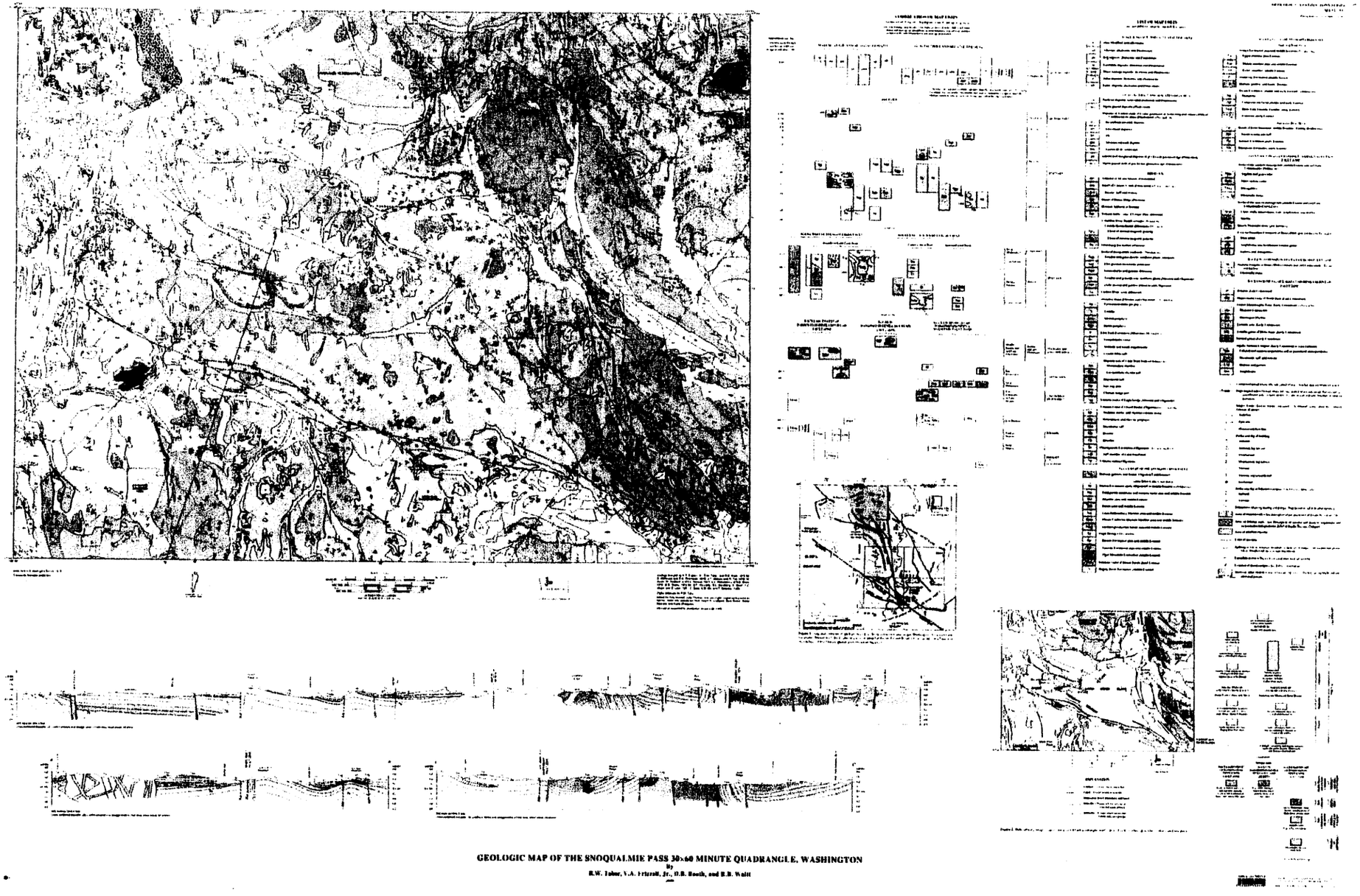
0 400 800 1200 Feet

1"= 600 feet

N

2.)

Plot date: Mar 21, 2005; Big Creek

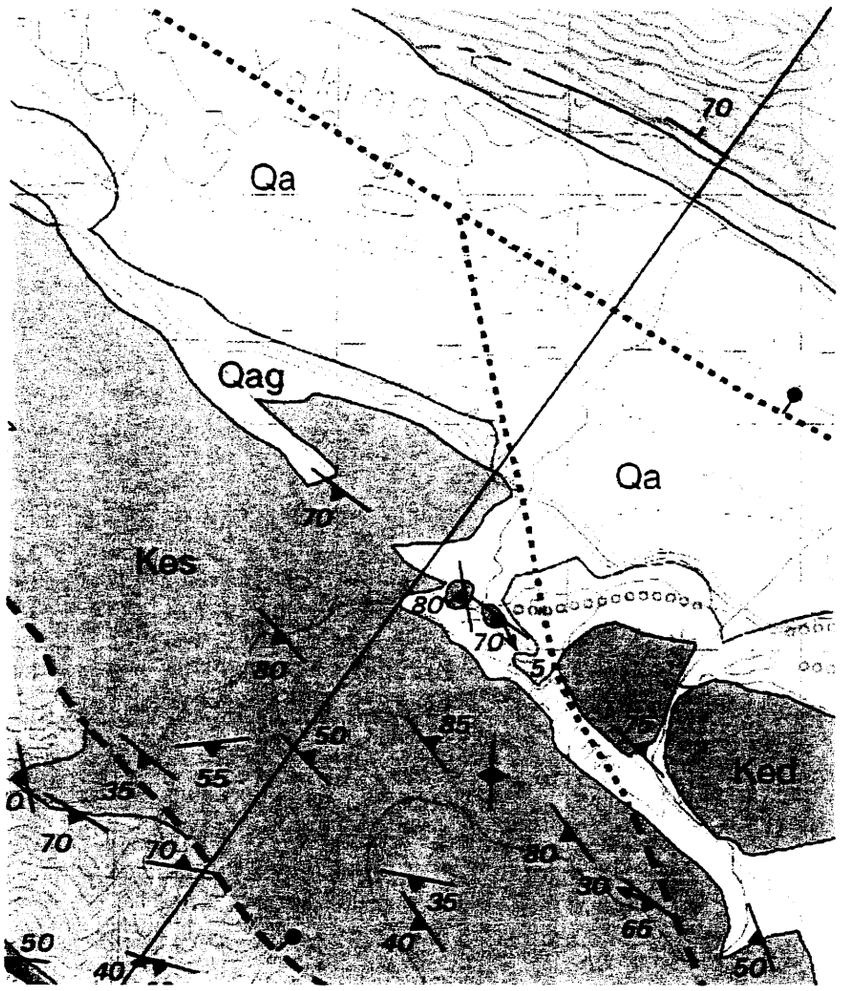


GEOLOGIC MAP OF THE SNOQUALMIE PASS 30×60 MINUTE QUADRANGLE, WASHINGTON

By

R.W. Tabor, V.A. Frizzell, Jr., D.B. Booth, and R.B. Waitt

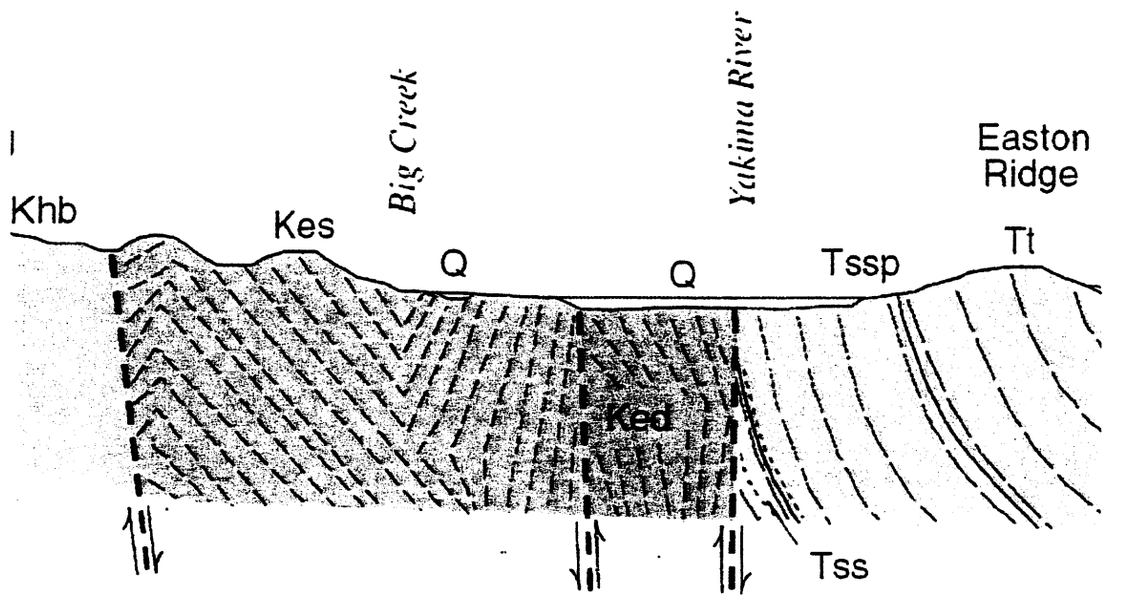
3.)



Big Creek - Detail

Geologic Map

USGS – Snoqualmie Pass



Big Creek - Detail

Cross Section C-C'

USGS – Snoqualmie Pass

LIST OF MAP UNITS

(See pamphlet for complete map unit descriptions)

Khb	**Tonalite gneiss of Hicks Butte (Early Cretaceous)**
Kes	**Shuksan Greenschist**
Ked	**Darrington Phyllite**
Qa	**Alluvium (Holocene and Pleistocene)**
Qag	**Alpine glacial deposits (Pleistocene)**
Tt	**Teanaway Formation (middle Eocene)**
Tssp	**Silver Pass Volcanic Member (early Eocene)**

Snoqualmie Pass

DESCRIPTION OF MAP UNITS

[Number in brackets refers to obscure place name on fig. 4]

MASS WASTAGE AND ALLUVIAL DEPOSITS

Qa **Alluvium (Holocene and Pleistocene)**—Moderately sorted cobble gravel along rivers to poorly sorted gravelly sand on small tributary fans; some fan material is lithologically similar to that included in talus (unit Qt). Includes postglacial terrace gravels that are perched above present-day flood-plain surfaces

Qag **Alpine glacial deposits (Pleistocene)**—Glacial deposits ranging from boulder till in uplands and up valley to gravel or sand outwash on broad valley floors. On valley sides and uplands includes areas veneered with drift but also includes bedrock, alluvial fans, colluvium, or talus deposits. On valley floors also includes small fans, bogs, and modern stream alluvium. Areas of thin, sparse drift not

BEDROCK

Tl **Teanaway Formation (middle Eocene)**—Basalt, basaltic tuff, and breccia with minor andesite, dacite, and rhyolite. Black, generally dense to glassy nonporphyritic pyroxene and rare olivine basalt, weathering red brown to yellow. Commonly fine-grained intersertal groundmass with plagioclase laths and clinopyroxene; interstices of brown glass or alteration products (Clayton, 1973, p. 18-19). Blocky to columnar-jointed flows characterized by large chalcedony and calcite amygdules. Tuff and breccia commonly altered to clays. Silicic varieties including welded tuff are white, purple, and highly altered but contain relict phenocrysts of quartz, plagioclase, and rare K-feldspar. Contains minor feldspathic sedimentary rock (Clayton, 1973, p. 35-36). Teanaway dike swarm composed of dark-green and brown to black basalt and diabase dikes that weather reddish brown. Includes pale, dull holocrystalline dikes containing plagioclase laths and granular clinopyroxene in intergranular texture. Interstices are filled with quartz, plagioclase, zeolite, and clays (Southwick, 1966, p. 9). Waxy, partly glassy dikes with andesine, clinopyroxene, and minor olivine; altered to chlorophaeite and devitrified glass (Southwick 1966, p. 10-11). Percent of area underlain by dikes shown by density of symbols

Tssp **Silver Pass Volcanic Member (early Eocene)**—Mostly dacite and andesite flows and pyroclastic rocks, but compositions range from rhyolite to basalt (Ort and others, 1993). Light-tan to dark-green-gray andesite and feldspar porphyry with phenocrysts, microphenocrysts, and glomerocrysts of plagioclase-hypersthene and plagioclase-clinopyroxene in groundmass of plagioclase microlites, pyroxene, opaques, and alteration minerals. Commonly highly altered with plagioclase altered to calcite and chlorite and pyroxene altered to smectite. Locally contains zeolite-filled amygdules. Altered rhyolite or dacite ash-flow tuff and tuff breccia contain plagioclase and quartz crystals, volcanic clasts, and flattened shards and pumice. Described in greater detail by Lofgren (1974, p. 25-34)

ROCKS NORTHEAST OF DARRINGTON-DEVILS MOUNTAIN FAULT ZONE

Ked **Darrington Phyllite**—Mostly black to grey graphitic chlorite-sericite-quartz phyllite with minor albite (?), and opaque minerals. Ashleman (1979, p. 7) reported minor spessartine and stilpnomelane. Phyllite is commonly highly crinkled and contains quartz segregation lenses and veins that are commonly phyllonitically folded. Phyllite predominates and is locally interbedded with greenschist and blueschist

Kes **Shuksan Greenschist**—Very fine grained albite-epidote-chlorite schist with varying amounts of quartz, actinolite, crossite and (or) late glaucophane, pumpellyite, and muscovite. Schist also contains minor sphene, opaques, and calcite. Ashleman (1979, p. 12) reported lawsonite in actinolite schist and described interceletions of ironstone and ferruginous quartzite in greenschist. Locally with layers of phyllite. Most rocks are highly foliated and thoroughly recrystallized with fair mineral segregation, but many rocks south of Little Kachess Lake are texturally undifferentiated and retain relict textures suggesting derivation from porphyritic volcanic rocks, tuffs, and rare mafic intrusive rocks. North of Hicks Butte[29], greenschist retains pillow structures, and in Kachess Lake area, Ashleman (1979, p. 13) also reported possible pillow structures

Khb **Tonalite gneiss of Hicks Butte (Early Cretaceous)**—Lineated, medium-grained hornblende tonalite and tonalite gneiss, locally porphyroclastic and mylonitic. In least-deformed rock, green hornblende and labradorite are subhedral with intergranular quartz, opaque minerals, and minor biotite. Patchy alteration of plagioclase and hornblende to epidote and late microcrystalline pumpellyite

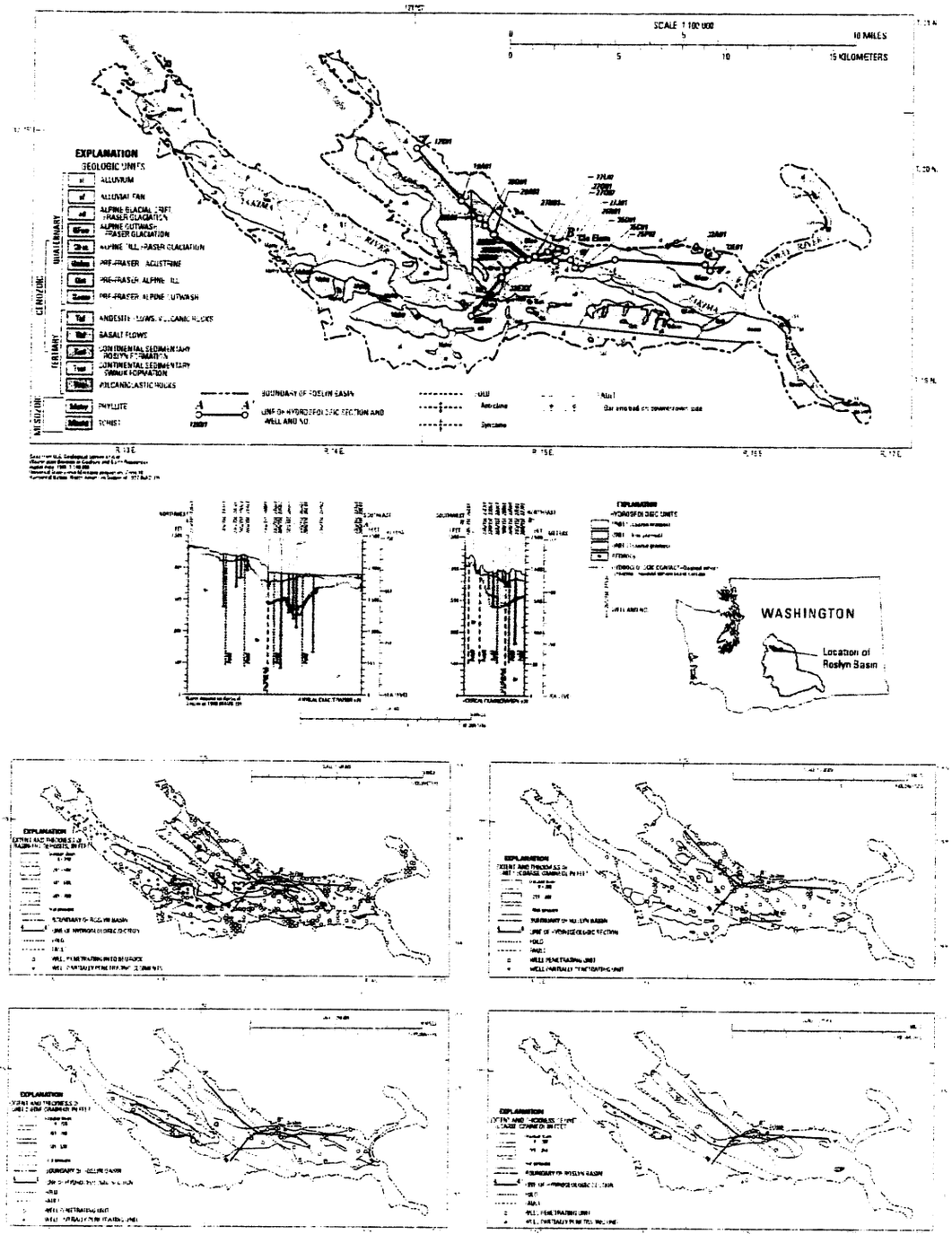
Roslyn Basin

The Roslyn Basin is located southeast of the Kachess and Cle Elum Lakes (figs. 6 and 7) and encompasses an area of about 80 mi^2. The south-central part of the basin is dissected by two northwest trending faults with their down-thrown sides toward the northeast, and the northeast part of the basin is divided by a series of synclines and anticlines (pl. 1).

The basin-fill deposits consist predominantly of alluvial, lacustrine, and glacial deposits interspersed with Mesozoic metamorphics and Tertiary volcanic deposits. The deposits were divided and mapped into three hydrogeologic units—Units 1 through 3 and a total basin thickness. Information from 307 well logs was used to define the units in the Roslyn Basin. This basin has been the least studied for ground-water availability, thus, only 31 percent of the well logs used to identify the hydrogeologic units and basin thickness were field located and most of these were inventoried during this study.

The three hydrogeologic units consist of an upper coarse-grained unit, a clay unit, and a productive gravel unit (pl. 1). Unit 1 consists of the alluvial, lacustrine, and glacial deposits at and near the surface. The thickness of the unit ranges from 0 to 360 ft, with a mean and median thickness of 80 ft. The altitude of this unit ranges from 1,760 to 3,420 ft, with a mean and median altitude of 2,120 and 2,130 ft, respectively. Unit 2 consists predominantly of fine-grained, lacustrine deposits of clay and silt. The extent and thickness of the unit tends to follow the alluvium valley (pl. 1). The thickness of this unit ranges from 0 to 530 ft with a mean and median thickness of 180 and 170 ft, respectively. The altitude of this unit ranges from 1,720 to 2,100 ft, with a mean and median altitude of 1,910 and 1,890 ft, respectively. Unit 3 consists of coarser deposits, mostly sand and gravels. It is less extensive than the other units and occurs in the deeper parts of the alluvial valley (pl. 1). The thickness of Unit 3 ranges from 0 to 240 ft with a mean and median thickness of 60 and 50 ft, respectively. The altitude of this unit ranges from 1,330 to 2,000 ft with a mean and median altitude of 1,670 and 1,690 ft, respectively.

The thickness of the basin-fill deposits in the Roslyn Basin is greatest in the central part of the basin in the Yakima alluvial valley (pl. 1). The total thickness of the basin-fill deposits in the Roslyn Basin ranges from 0 to 700 ft with a mean and median thickness of 150 and 110 ft, respectively. The altitude of the top of the bedrock units in this basin ranges from 1,190 to 3,330 ft, with a mean and median altitude of 1,990 and 2,010 ft, respectively.



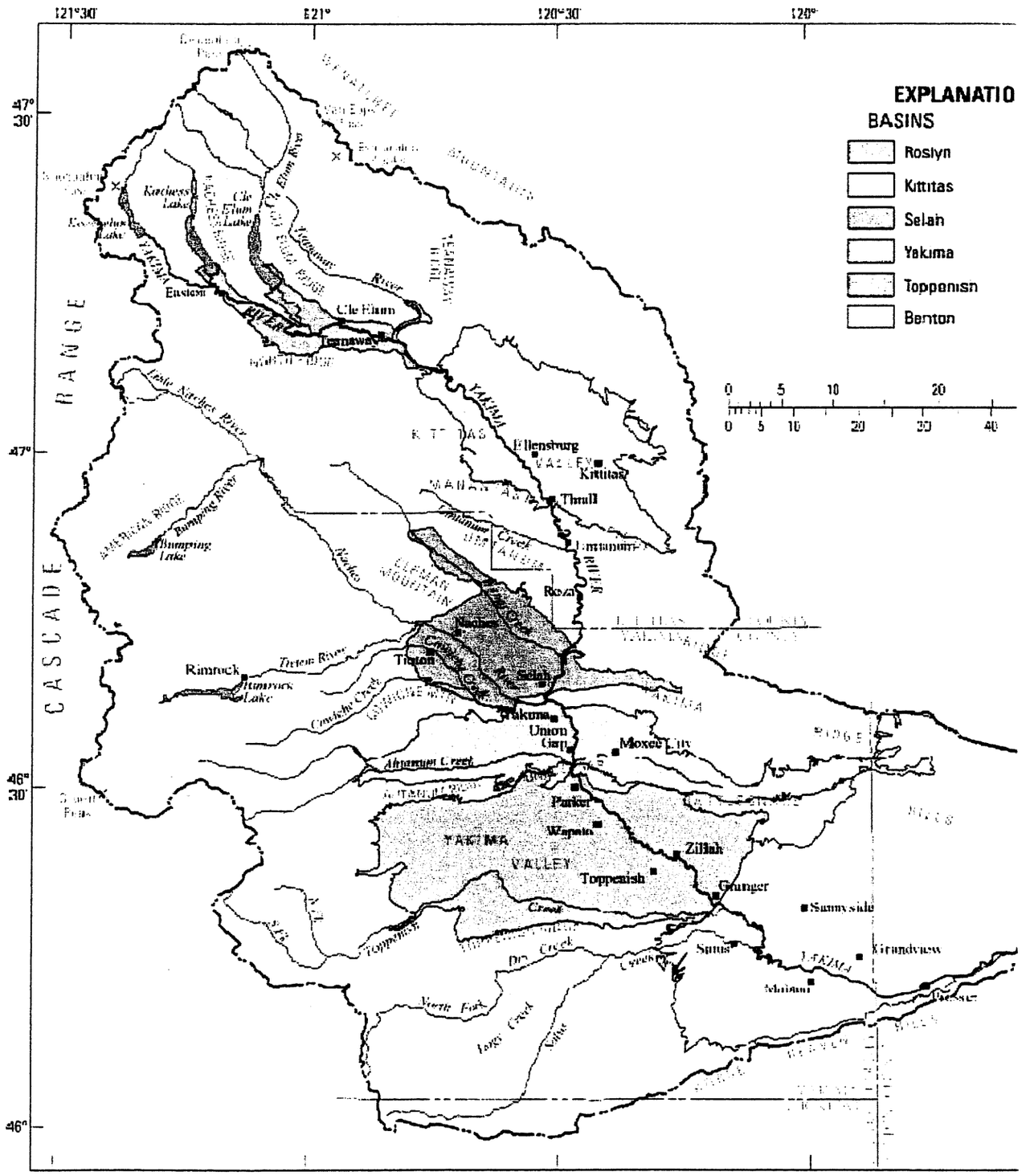
Maps and Hydrogeologic Sections Showing Surficial Geology, Extent and Thickness of Basin-fill Deposits, Hydrogeologic Units, and Locations of Selected Wells in the Roslyn Basin, Yakima River Basin, Washington

By
Myrtle A. Jones, John Vaccaro, and Anni M. Watkins

2006

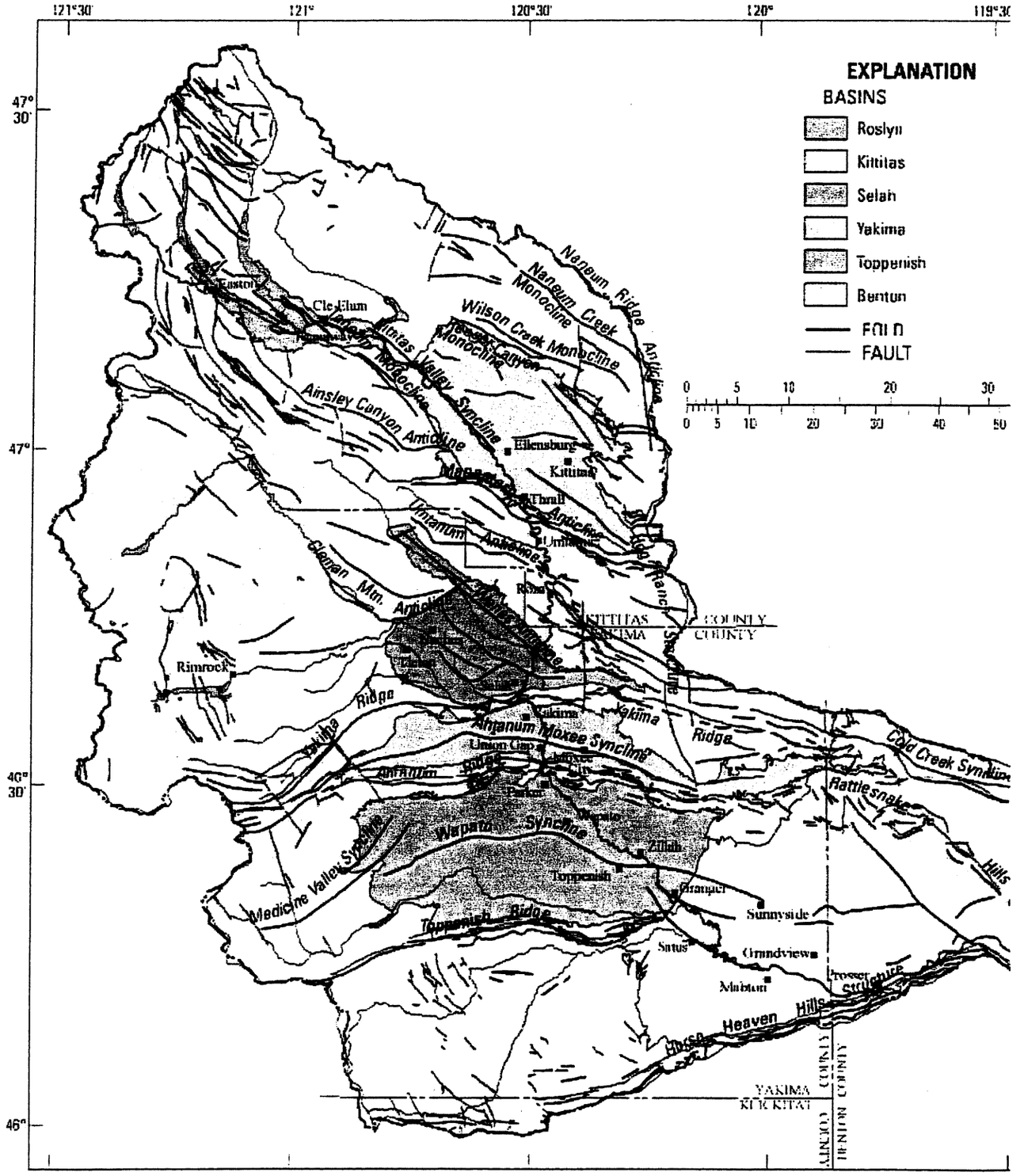
U.S. GEOLOGICAL SURVEY
Scientific Investigations Report 2006–5116, Figure 6. Location of six Sedimentary Basins, Yakima River, Washington

6

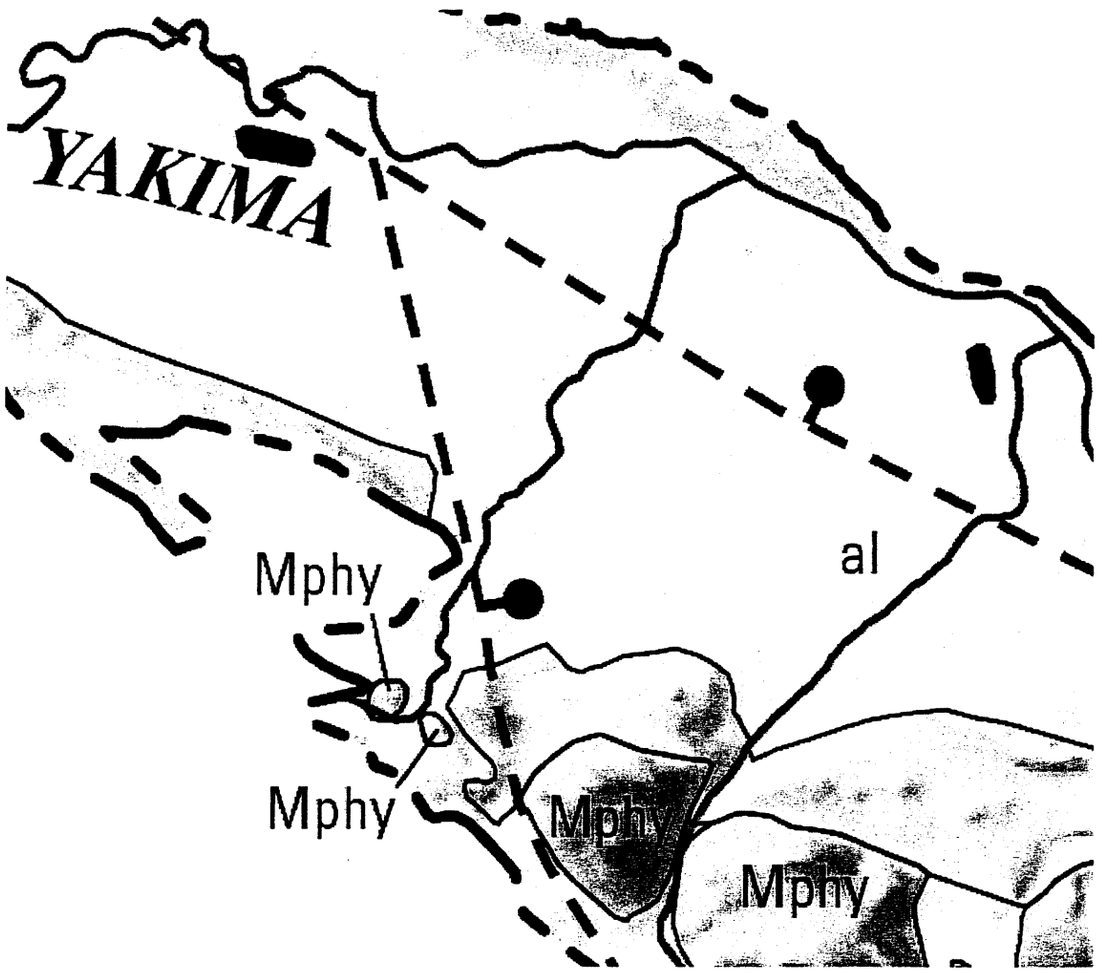


10.)

U.S. GEOLOGICAL SURVEY
Scientific Investigations Report 2006–5116, Figure 7.
Structure delineating six sedimentary basins, Yakima River Basin, Washington



11.)



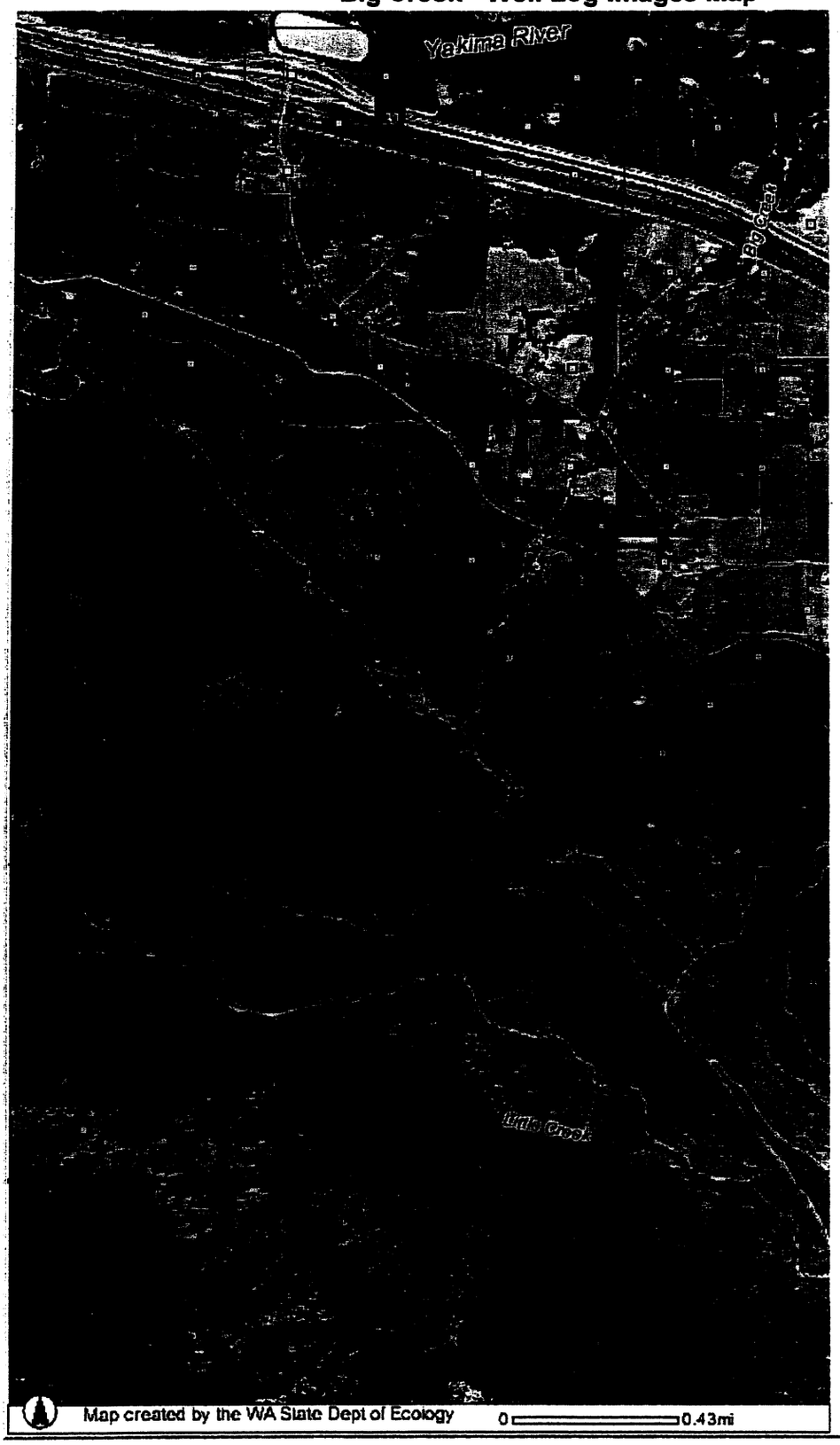
DETAIL

Big Creek to Little Creek

Roslyn Basin, Basin-fill Deposits

USGS, Scientific Investigation Report 2006-5116, Plate 1

Big Creek - Well Log Images Map



Well Log Locations
- Water Supply
- Resource Protection
- Decommissioned
- Multiple Well Types

Major Roads
Streets
Sections
Cities
Counties

Water Bodies
- Reservoir
- Glacier
- Marsh
- Rock
- Island
- Water

Streams

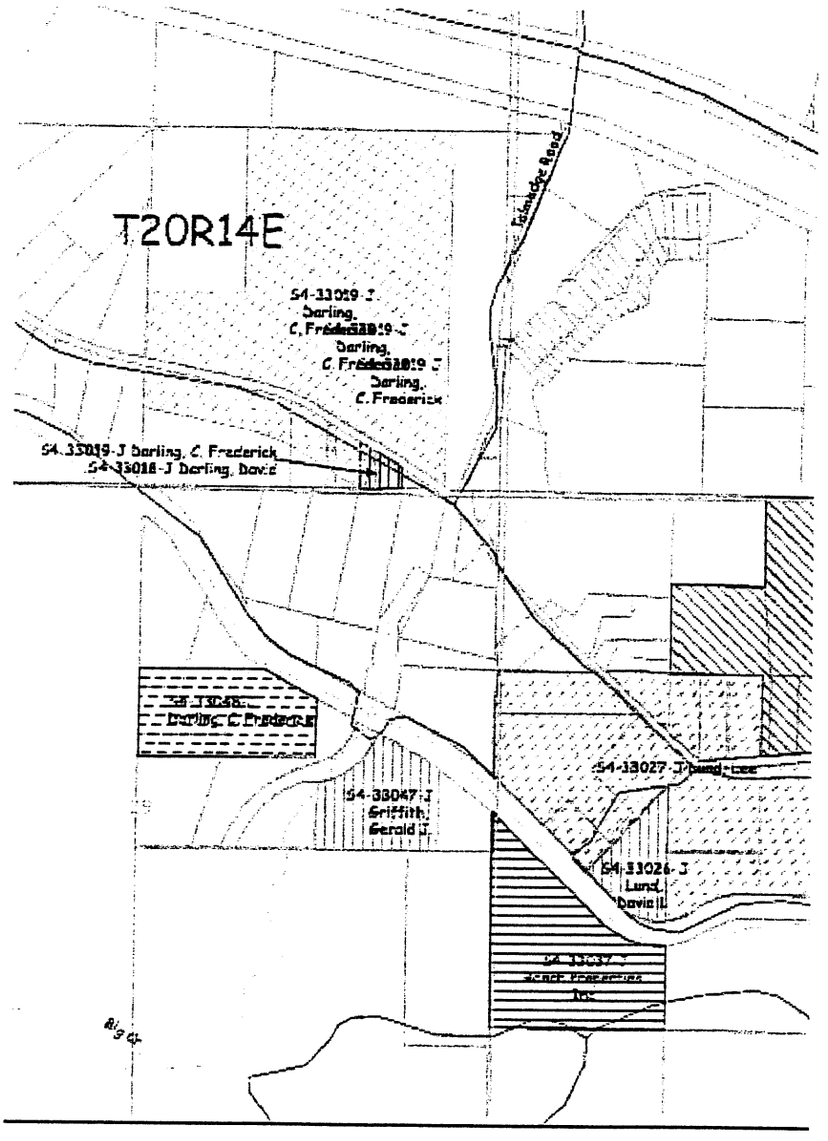
13.)

Water Right Tracking System
Department of Ecology
WR Document List Sorted By Primary Party Report

Reported By TMIT461
Report Date 7/11/2006

File #	Cert #	Person	Stat	Doc	Priority Dt	Purpose	Qi	UOM	Qa	Ir Acres	WRIA	County	TRS	QQ/Q	Src's	1stSrc
S4-*18245JWRIS		CARPENTER F	A	Adjct Cert	1/1/1902	ST,IR	2	CFS		100	39	KITTITAS	20.0N 14.0E 29	NW/NE	1	BIG CREEK
S4-125808CL		CHURCH OF JESUS THE	A	Claim L		IR		CFS			39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
S4-*18247AWJWRIS		Ensign Ranch/Church Jesus Christ L D S	A	Adjct Cert	1/1/1906	IR	1.7	CFS		85	39	KITTITAS	20.0N 14.0E 21	N2/SE	3	POND 1
S4-28215		Ensign Ranch/Church Jesus Christ L D S	A	NewApp	5/19/1983	ST,RE	0.912	CFS			39	KITTITAS	20.0N 14.0E 21		1	BIG CREEK
CS4-00755CTCL@1		Gentry Earl	A	ChgApp	2/24/2004	ST,IR	6.14	CFS			39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-*04307CWRIS	1291	GIOVANALE E	A	Cert	10/13/1936	IR,DS	0.01	CFS			39	KITTITAS	20.0N 14.0E 29	NE/NE	1	BIG CREEK
S4-*18249JWRIS		GIOVANALE P	A	Adjct Cert	1/1/1923	ST,IR	0.8	CFS		40	39	KITTITAS	20.0N 14.0E 29	NE/NE	1	BIG CREEK
S4-*18248JWRIS		JOHNSON J E	A	Adjct Cert	1/1/1906	ST,IR	0.5	CFS		25	39	KITTITAS	20.0N 14.0E 29	NE/NE	1	BIG CREEK
S4-160420CL		KALUO ROBERT L	A	Claim S		IR,DG		CFS			39	KITTITAS	20.0N 14.0E 20		1	BIG CREEK
S4-161417CL		KORFUS JACOB	A	Claim S		ST,IR		CFS			39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
CS4-00456CTCL		Lund David	A	Chng/ROE	2/24/2004	ST,IR	29.92	CFS		8	39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
CS4-00353CTCL		Lund David	A	Chng/ROE	2/24/2004	ST,IR		CFS	143.99	8	39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-CCVOL1P138		Lund Kearnel	A	CertChg	1/1/1887	ST,IR	4.6	CFS		230	39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-129215CL		MADSEN DUANE D	A	Claim L		IR,DG		CFS			39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
S4-079382CL		MARKEE ROBERT	A	Claim S		DG		CFS			39	KITTITAS	20.0N 14.0E 21		1	BIG CREEK
CS4-00339CTCL		Ranch Properties Inc	A	ChgApp	2/24/2004	ST,IR	1.281	CFS			39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-*18242JWRIS		RICHARDS H A	A	Adjct Cert	1/1/1887	ST,IR	2.4	CFS		120	39	KITTITAS	20.0N 14.0E 29	NW/SE	1	BIG CREEK
S4-*18243JWRIS		RICHARDS S	A	Adjct Cert	1/1/1887	ST,IR	0.2	CFS		10	39	KITTITAS	20.0N 14.0E 29	NW/SE	1	BIG CREEK
S4-CCVOL2P848		Smith Maude	A	CertChg	1/1/1889	ST,IR	2.7	CFS		135	39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-CCVOL2P849		Smith Maude	A	CertChg	1/1/1887	ST,IR	3	CFS		150	39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
CS4-00755(A)CTCL		Suncadia LLC	A	Chng/ROE	4/23/2001	TW-P,	131	CFS	131		39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
CS4-YRB02CC00755@2		Suncadia LLC	A	Chng/ROE	5/1/2000	TW-P,	1.09	CFS	262		39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
CS4-00756CTCL@1		Teanaway Ridge LLC	A	ChgApp	6/9/2006	ST,IR	0.68	CFS		17	39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-153543CL		TRANS-WEST CO THE	A	Claim L		IR		CFS			39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
S4-127016CL		VAUPEL WARREN F	A	Claim S		IR,DG		CFS			39	KITTITAS	20.0N 14.0E 20		1	BIG CREEK
S4-*18246ALJWRIS		VENERA D	A	Adjct Cert	1/1/1906	ST,IR	3.52	CFS		176	39	KITTITAS	20.0N 14.0E 29	NE/NE	2	BIG CREEK
S4-099920CL		YOUNKER ROBERT A	A	Claim S		ST,IR		CFS			39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
S4-*18241JWRIS		Diener Christopher	I	Adjct Cert	1/1/1887	ST,IR	3	CFS		150	39	KITTITAS	20.0N 14.0E 29	NW/NE	1	BIG CREEK
S4-*18244JWRIS		Diener Christopher	I	Adjct Cert	1/1/1889	ST,IR	2.7	CFS		135	39	KITTITAS	20.0N 14.0E 29	SW/NE	1	BIG CREEK
S4-CCVOL1P51		Diener Christopher	I	CertChg	1/1/1889	ST,IR	2.7	CFS		135	39	KITTITAS	20.0N 14.0E 29	NW/SE	1	BIG CREEK
S4-*00911PWRIS		GIOVANALE P	I	Pmt		IR,DS	100	CFS		40	39	KITTITAS	20.0N 14.0E 29	NE/NE	1	BIG CREEK
S4-32920		Level 3 Communications	I	NewApp	6/27/2000	MI	0.1	CFS			39	KITTITAS	20.0N 14.0E 21		1	BIG CREEK
S4-*18240JWRIS		LUND K O	I	Adjct Cert	1/1/1887	ST,IR	4.6	CFS		230	39	KITTITAS	20.0N 14.0E 29	NW/SE	1	BIG CREEK
S4-*00983PWRIS		MCKAY M P	I	Pmt	10/2/1923	IR	1	CFS		78	39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
CS4-YRB02CC00755		Trendwest Resorts Inc	I	ChgApp	5/8/1997	IR		CFS			39	KITTITAS	20.0N 14.0E 29	SW/SE	1	BIG CREEK
S4-CCVOL1P25		Venera Matt	I	CertChg	1/1/1906	ST,IR		CFS			39	KITTITAS	20.0N 14.0E 29		1	BIG CREEK
S4-CCVOL1P41A		Venera Matt	I	CertChg	1/1/1906	ST,IR	3.14	CFS		157	39	KITTITAS	20.0N 14.0E 29	NW/SE	1	BIG CREEK

TOTAL RECORDS: 37



YAKIMA RIVER ADJUDICATION: SUB-BASIN 02

EASTON

Big Creek - Detail

HABITAT LIMITING FACTORS

YAKIMA RIVER WATERSHED

WATER RESOURCE INVENTORY AREAS 37 - 39

DRAFT - FINAL REPORT

WASHINGTON STATE
CONSERVATION COMMISSION

Donald Haring

October 2001

16.)

upper reaches. Landslides are a significant concern in the Little Creek watershed (Tri-County 2000). There is extensive bedload movement and accretion during peak flows (Teske, Renfrow); the suspected sediment source is in the vicinity of the powerline crossing of the stream.

Riparian Condition

Riparian condition is severely impacted through the powerline crossing of Little Creek, where vegetation is limited to shrubs and small trees that do not cause potential interference to the powerlines. Vegetation control is currently done selectively by hand or with a tractor-mounted flail, but in the past, powerline maintenance crews would periodically use a bulldozer with brush rake to grub out the woody vegetation within the right-of-way (Renfrow). This vegetation management eliminates localized potential for shade and future LWD recruitment, and may contribute to localized bank erosion and sediment accretion during peak flows.

Water Quality/Water Quantity

Little Creek is designated as Class A (excellent) waters (WAC 173.201(a)), which determines which water quality parameters need to be met. Little Creek surface water diversions total ~5.0 cfs for irrigation of 100 acres (Report of Referee re. Subbasin No. 2 (Easton); as cited in KCCD 1999). Little Creek was considered for listing for deficient instream flow based on input from the Yakama Indian Nation, but was not approved for listing by Ecology due to insufficient documentation.

Action Recommendations

The following ranked salmonid habitat restoration actions are recommended for Little Creek:

- **Assess water quantity status to determine impacts of water diversions on instream flows; look for alternative water sources for current water diversion(s)**
- **Restore natural floodplain configuration and function where Little Creek crosses the Yakima River floodplain**
- **Restore riparian function where impaired, particularly through the powerline corridor crossing of Little Creek**

Big Creek 39.1687

General

Big Creek is a right bank tributary to the Yakima River, entering at RM 195.8. The combined Big Creek/Little Creek watershed is approximately 42 mi^2. Big Creek supports spring chinook and steelhead juvenile rearing and potential steelhead spawning in the lower reaches, as well as other resident salmonids and non-salmonids. Big Creek is known to have produced steelhead historically, and appears to have potential to produce steelhead, coho, and to a lesser degree, spring chinook (CBSP 1990). Spring chinook juveniles rear in the lower reaches in substantial numbers (CBSP 1990). The major habitat factors limiting salmonid production in Big Creek are the impassable dam and unscreened irrigation diversion at RM 2.1 (KRD), and the lack of instream flow from the dam to the mouth of the stream (CBSP 1990, WDFW 1998).

The Yakima River terrace near Big Creek/Little Creek was logged and cleared from 1880-1900 and developed for agricultural crops (KCCD 1999). The Northern Pacific Railroad was built by 1887, and followed along the Yakima River. Water diversions were established on Big Creek by 1887.

Fish Access

There are two diversion dams located on Big Creek; a small (2-3 cfs) berm diversion at RM 0.7 (which services the Ensign Ranch camp), and a larger (10-15 cfs, 5-foot head) impassable diversion dam at RM 2.1 (which services the left bank Darling diversion and the right bank Lund Diversion)(Renfrow). The upper diversion dam is located a couple hundred feet upstream of the KRD Canal crossing of Big Creek, although the lands serviced by this diversion are located below the KRD Canal. The lower diversion dam is easily passable to adults; the upper diversion is impassable most years. A fishway was previously installed at the Lund/Darling diversion, but shortly thereafter failed and is not fixable. The Lund and Darling diversions are not screened. The lack of passage at the Lund/Darling diversion dam at RM 2.1 precludes anadromous salmonid access to high quality spawning habitat upstream.

Flow remains as a significant concern even after Water Rights Adjudication (Renfrow). During late summer essentially all water is appropriated for irrigation purposes. Depending upon the year, there may be no instream flow remaining in August or September. Trendwest Corporation purchased Big Creek water rights for 1.5 cfs in support of its development in the Cle Elum River Basin. Trendwest has been leaving this water instream, rather than diverting it through the Lund Ditch. If the development is successful, it is part of the long-term plans of the corporation that this water will remain as instream flow in Big Creek, to provide base flow.

The USFS (1997) has identified 2 fish passage barrier culverts in tributaries to Big Creek. These barriers may impact resident salmonids, are high in the watershed, are not likely to impact anadromous salmonids, and may have already been repaired by USFS (Teske). It is unknown whether these barriers impact bulltrout. Consult the USFS Yakima Watershed Analysis for specific locations of these barriers.

Floodplain Modifications

The creek is heavily channelized downstream of RM 3.0, with associated channel instability and bedload deposition in the lowermost 0.25 mile (WDFW 1998). The sediment source appears to be due to channel and bank instability upstream and downstream of the KRD crossing, possibly associated with the lack of LWD and riparian vegetation through this area.

Channel Condition/Substrate Condition

None of the sampled reaches on Big Creek or Greek Creek met the Forest Plan standard for LWD presence or pool frequency (USFS 1997). Habitat complexity is limited in the lower reach, which is now almost exclusively a single channel providing pocket-water habitat, with little LWD (YSS 2001 DRAFT). Habitat complexity and LWD abundance increase dramatically in the upper reaches, particularly upstream of the KRD Canal (RM 2.1). The channel used to have abundant LWD, which was actively removed by channel cleaning (Renfrow). Flood flows of 1990, 1995 and 1996 have recruited some woody debris jams and locally improved habitat complexity. In general, however, there is currently little LWD from the powerline crossing to the mouth.

The USFS (1997) rated spawning, summer rearing, and winter rearing habitat quality (resident and anadromous salmonids) in the Big Creek drainage. Estimates are presented in Table 35.

Table 35: Habitat conditions (miles) in the Big Creek River watershed (from USFS 1997)

Habitat Type	Good	Fair	Poor
Spawning habitat	9	6	17
Summer rearing habitat	15	8	8
Winter rearing habitat	15	4	13

Erosion risk, based on NRCS soil survey data, ranges from low to moderate on the river terraces to high to very high in the steeper regions of the upper watershed (KCCD 1999). An independently derived erosion risk map prepared for the Big Creek/Little Creek watershed by Plum Creek Timber Company show a similar erosion risk pattern, ranging from low on the Yakima River terraces and lower riparian areas along the creeks to moderate and high in the upper reaches. USFWS (2001 DRAFT) indicates that forest road 152 parallels Jim Creek and has fine sediment delivery to the stream system, potentially adversely affecting bull trout habitat.

Riparian Condition

Riparian condition is believed to be good in the canyon upstream of the powerline crossing, deteriorating downstream of the canyon, and becoming fair in the channelized reach near the mouth (Renfrow).

Water Quality/Water Quantity

Big Creek is designated as Class A (excellent) waters (except for Greek Creek which is designated as Class AA (extraordinary) waters)(WAC 173.201(a)), which determines which water quality parameters need to be met. Big Creek is on the CWA Section 303(d) impaired water quality list for instream flow, reflecting the lack of instream flow from the upper diversion (RM 2.1) to the mouth of Big Creek. Big Creek is also on the CWA Section 303(d) impaired water quality list for water temperature. Maximum summertime water temperatures in the lower sections of Big Creek can occasionally approach 70°F (Johnston 1989, as cited in YSS 2001 DRAFT), but these episodes are brief, diurnal fluctuations are large, and excessive temperature is not believed to be a serious problem (YSS 2001 DRAFT). KCCD and BOR monitoring of Big Creek found no exceedances of water temperature in sampling events from December 1985 to September 1987 and April to November 1989 (KCCD 1999).

Big Creek is estimated to deliver 630 tons of fine sediment to the Yakima River annually (KCCD 1999).

Natural runoff in Big Creek is fully appropriated for irrigation. Lack of instream flow from the mouth upstream to the diversion dam at RM 2.1 precludes anadromous salmonid access to high quality spawning habitat upstream (WDFW 1998, CBSP 1990). Big Creek surface water diversions total ~8.7 cfs for irrigation of 435 acres plus stockwater needs (Report of Referee re. Subbasin No. 2 (Easton); as cited in KCCD 1999). (For comparison, the total flow in the creek above the Lund/Darling diversion measured in August of 1999 was only 9.29 cfs (Renfrow)) Upstream of RM 3, there are perennial instream flows. The creek has substantial perennial flows (~10 cfs in August 1988) upstream of the upper diversion, but flow downstream is ~1 cfs, most of which is leakage (CBSP 1990, 303(d) Decision Matrices). Flows are recharged by groundwater over the next mile. and increase to ~3 cfs at RM 1.2 (also in August 1988). Most of this recharge

is subsequently removed at the lower diversion, and the stream may be totally dry or intermittent from RM 0.6 to the mouth depending upon the year (Renfrow).

Lakes

No lakes are present in this watershed.

Action Recommendations

The following ranked salmonid habitat restoration actions are recommended for Big Creek:

- **Restore instream flows downstream of the diversion at RM 2.1 to the mouth; look for alternative water sources for current water diversion(s)**
- **Restore anadromous fish passage upstream of the current barrier at the Lund diversion; screen intakes of both water diversion on Big Creek**
- **Develop and implement a short-term LWD strategy for the reach from the powerline crossing to the mouth, to provide LWD presence and habitat diversity until riparian function is restored**
- **Restore riparian function from the powerline crossing to the mouth**

Tucker Creek 39.1709

General

Tucker Creek is a right bank tributary to the Yakima River, entering at RM 199.9. Tucker Creek supports spring chinook and steelhead juvenile rearing and potential spawning in the lower reaches, as well as other resident salmonids and non-salmonids.

Fish Access

A concrete siphon passes the KRD Main Canal flow underneath Tucker Creek, and the stream is armored to protect the siphon from erosion (BOR 2000). The creek flows directly over the top of the concrete canal siphon, creating a cascade that is a fish passage barrier at most flows (Monk, Renfrow). An engineered design for a series of boulder weirs has been developed that would provide passage upstream of the diversion; the project is currently held up in discussions with BOR. There are approximately 1.5 miles of suitable habitat upstream of the KRD siphon, which will be accessible once the barrier is corrected (Fraser).

Floodplain Modifications

Natural floodplain function for Tucker Creek appears to be impaired where the creek flows through a development upstream of the confluence with the Yakima River (Renfrow). The extent of potential impairment, and potential for habitat restoration needs further assessment.

Water Quality/Water Quantity

Tucker Creek water quality has not been classified, but is considered as Class AA (extraordinary) waters, as it is a tributary to a Class AA reach of the Yakima River (WAC 173.201(a)). A surface water diversion of 0.3 cfs is identified for irrigation of 10 acres in the Tucker Creek watershed.

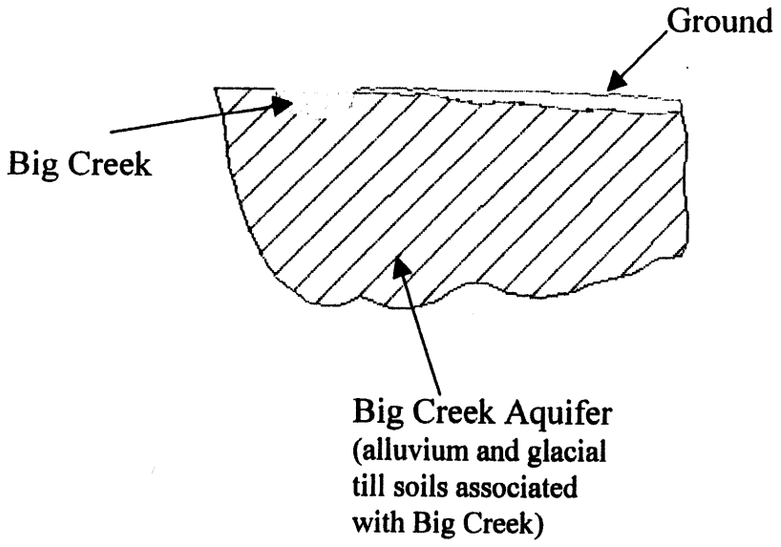
EXHIBIT 4
TO REPORT OF EXAMINATION
APPLICATION # KITT-06-09

Big Creek

Slide 1

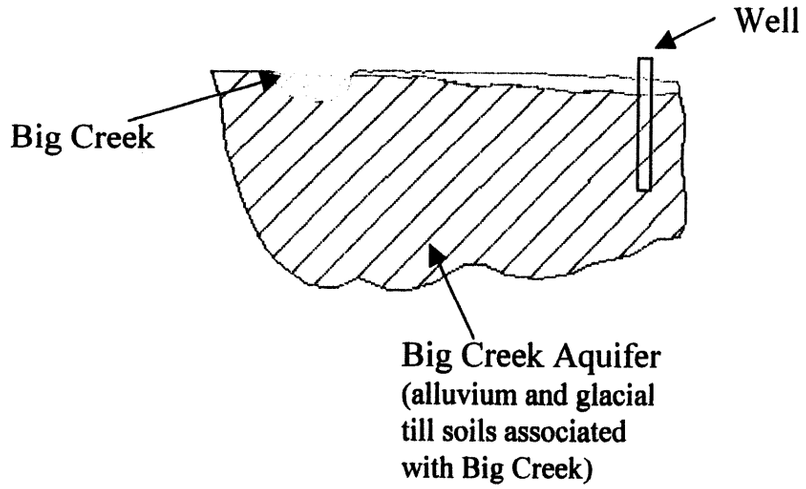
Big Creek and Aquifer

Slide 2



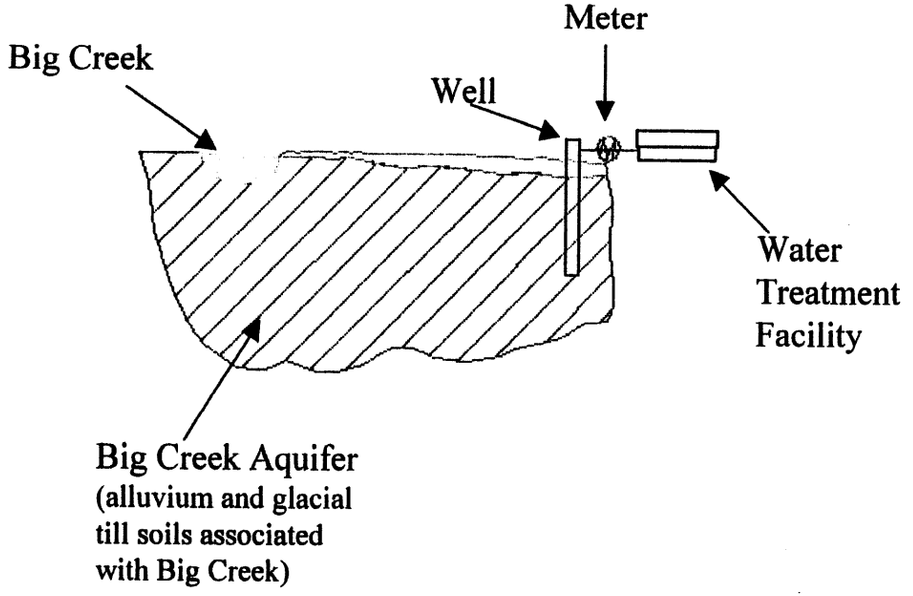
Well

Slide 3


Well
Big Creek
Big Creek Aquifer
(alluvium and glacial
till soils associated
with Big Creek)

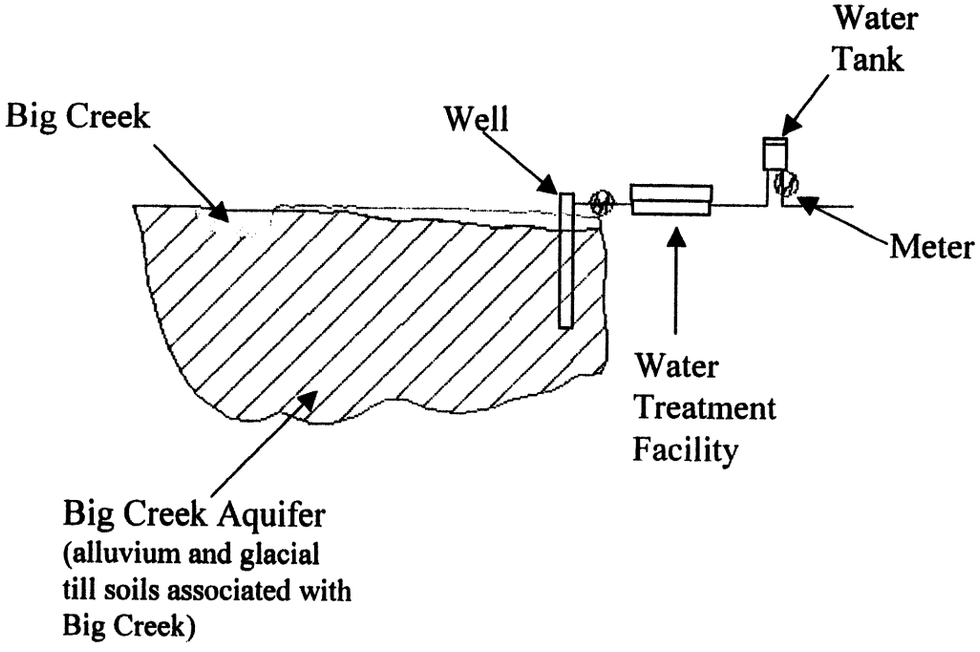
Water Treatment Facility

Slide 4



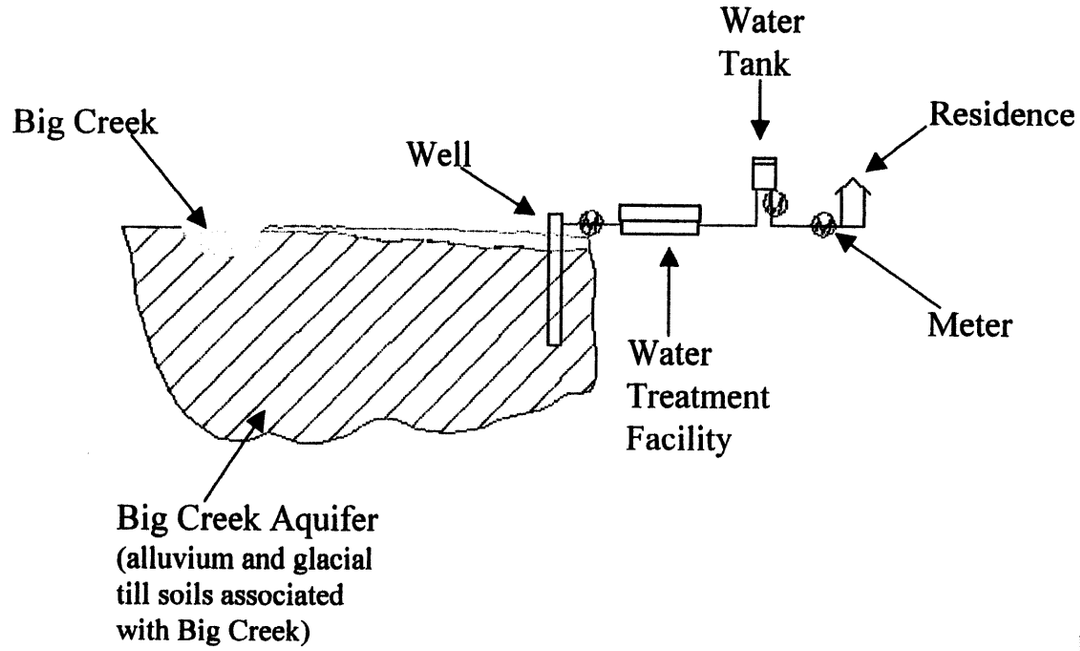
Water Tank

Slide 5



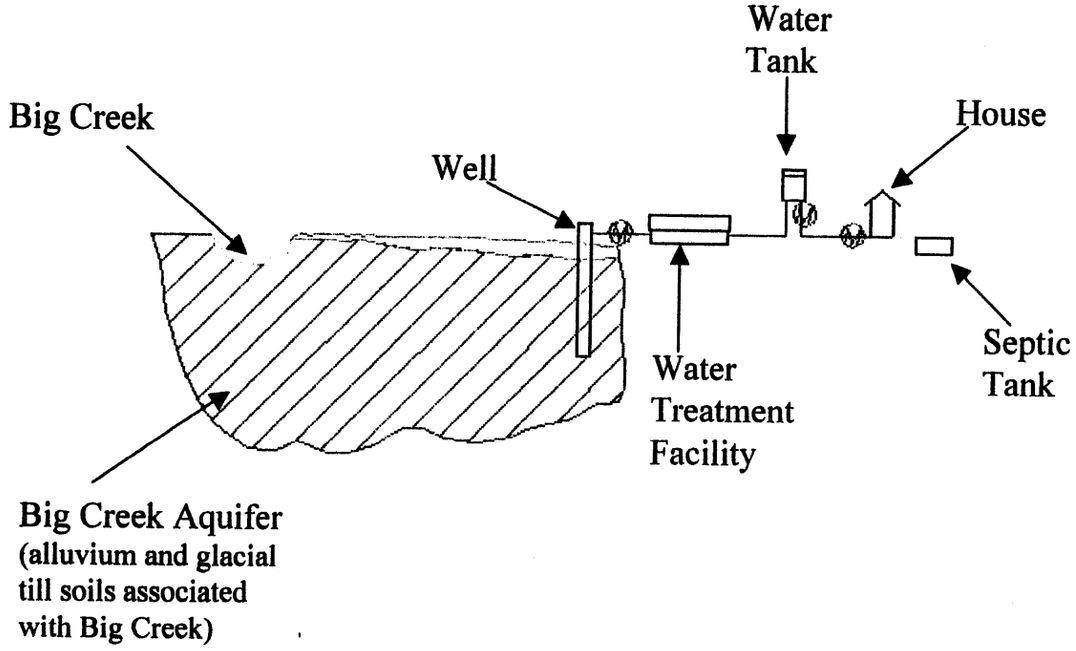
Residence

Slide 6



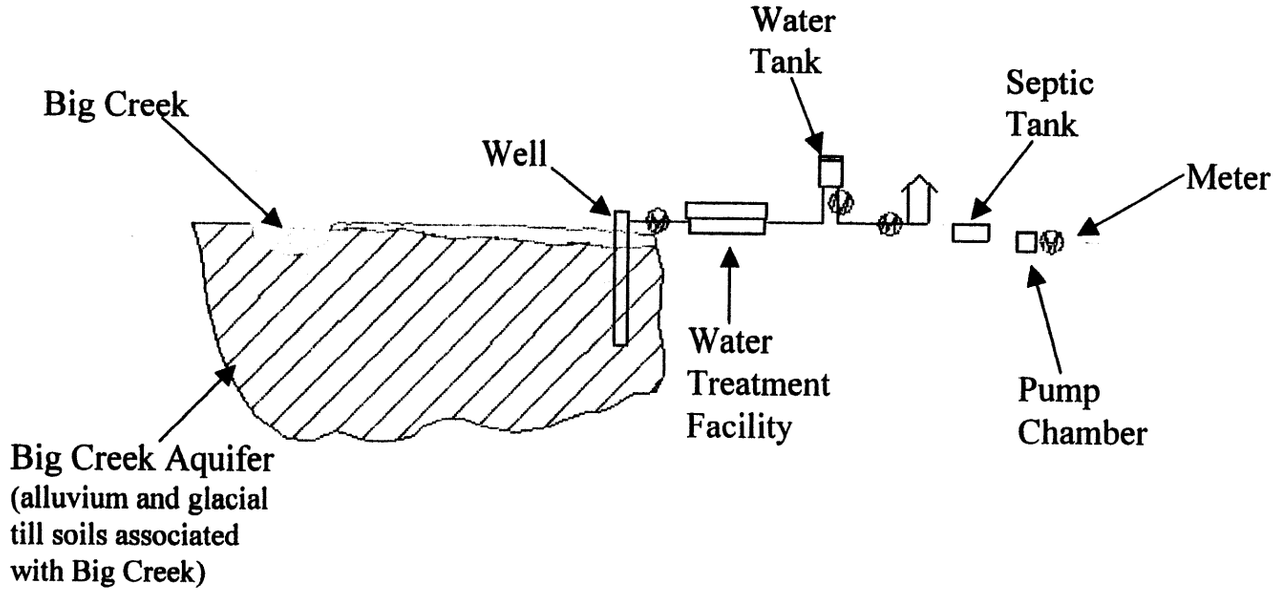
Septic Tank

Slide 7



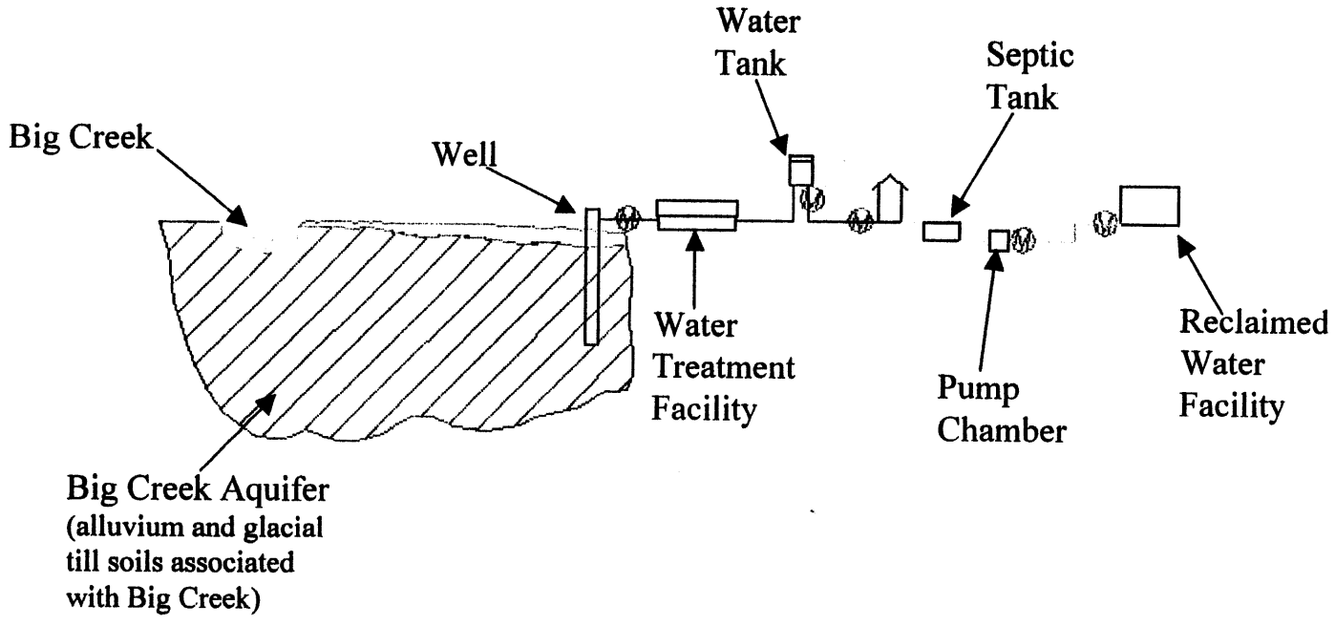
Pump Chamber

Slide 8



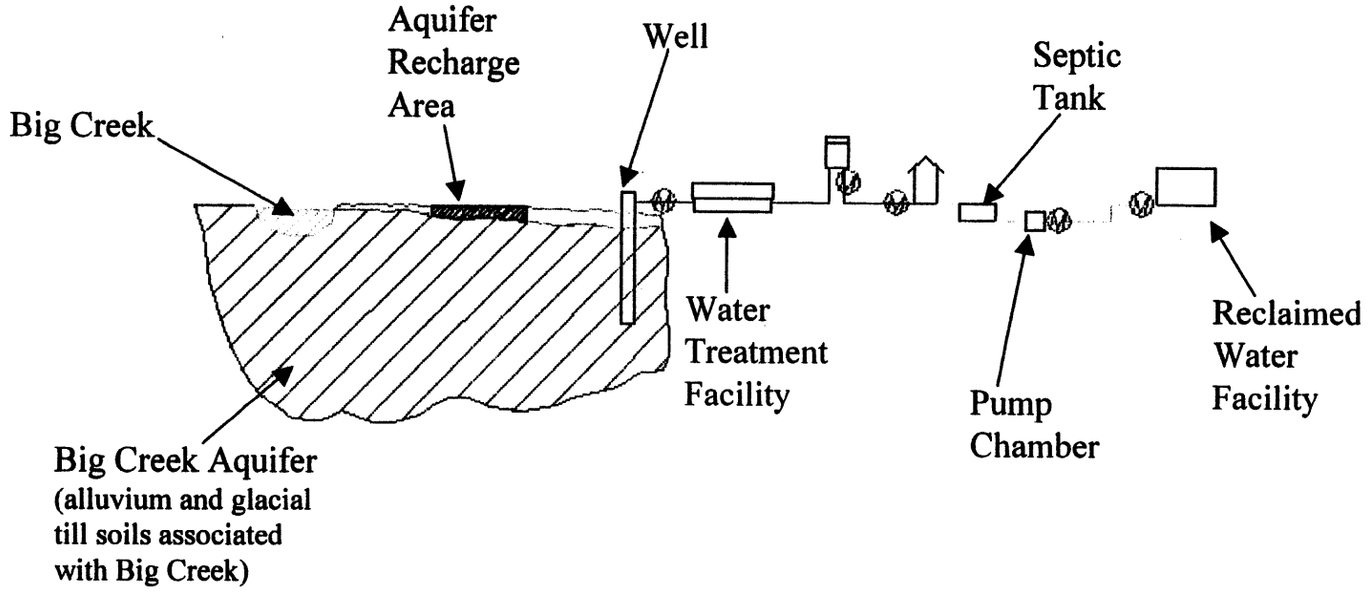
Reclaimed Water Facility

Slide 9



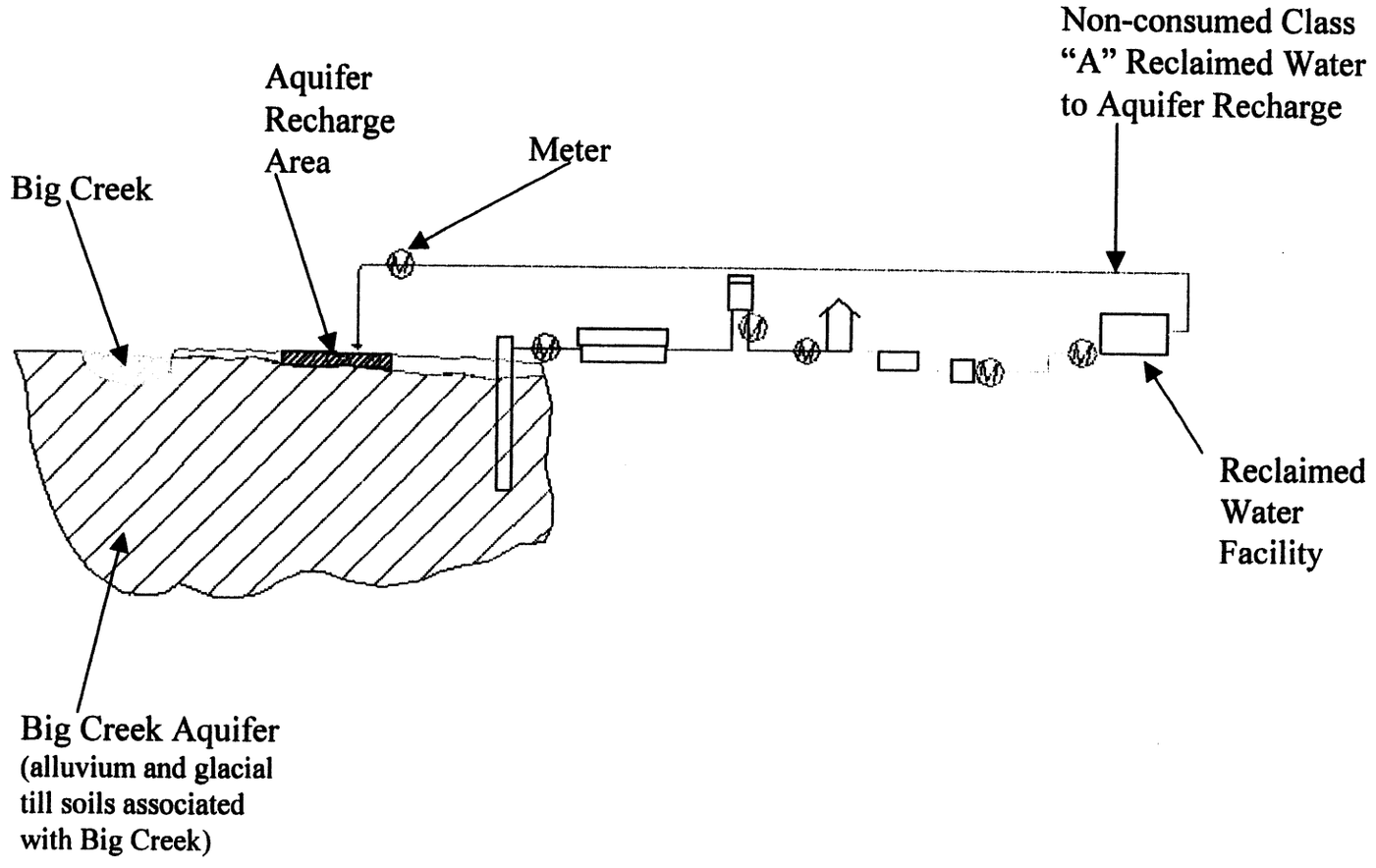
Aquifer Recharge Area

Slide 10



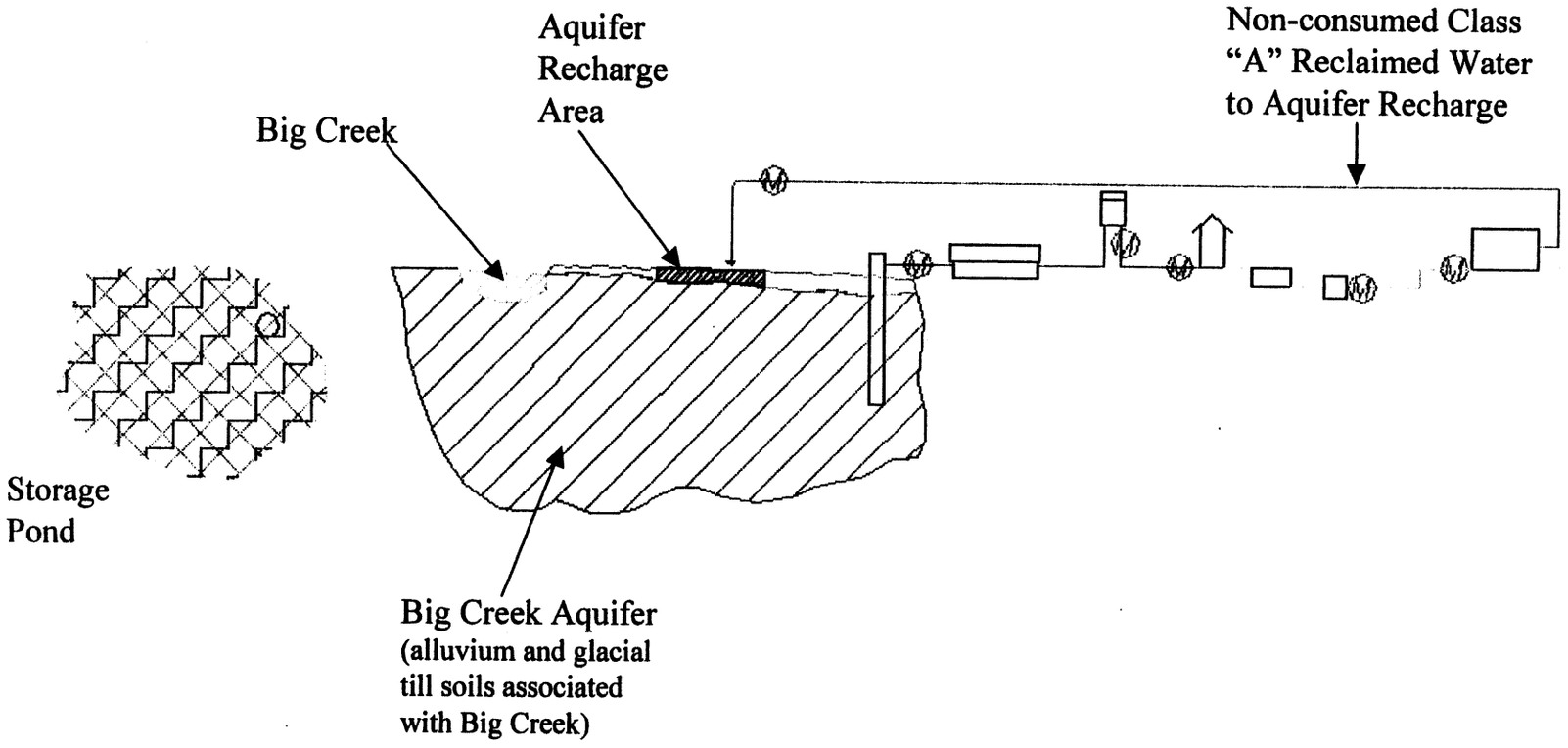
Non-Consumed Class "A" Reclaimed H2O

Slide 11



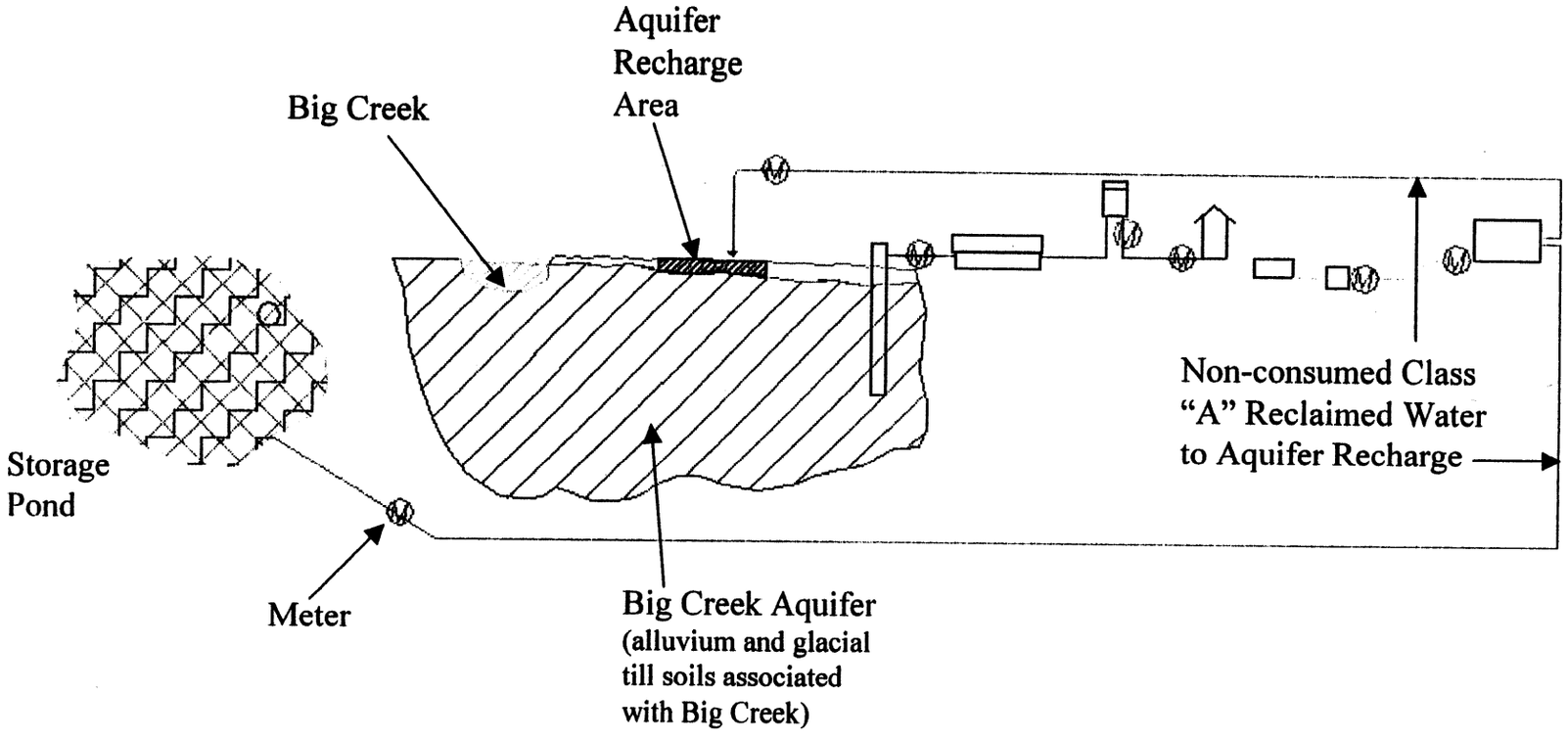
Storage Pond

Slide 12



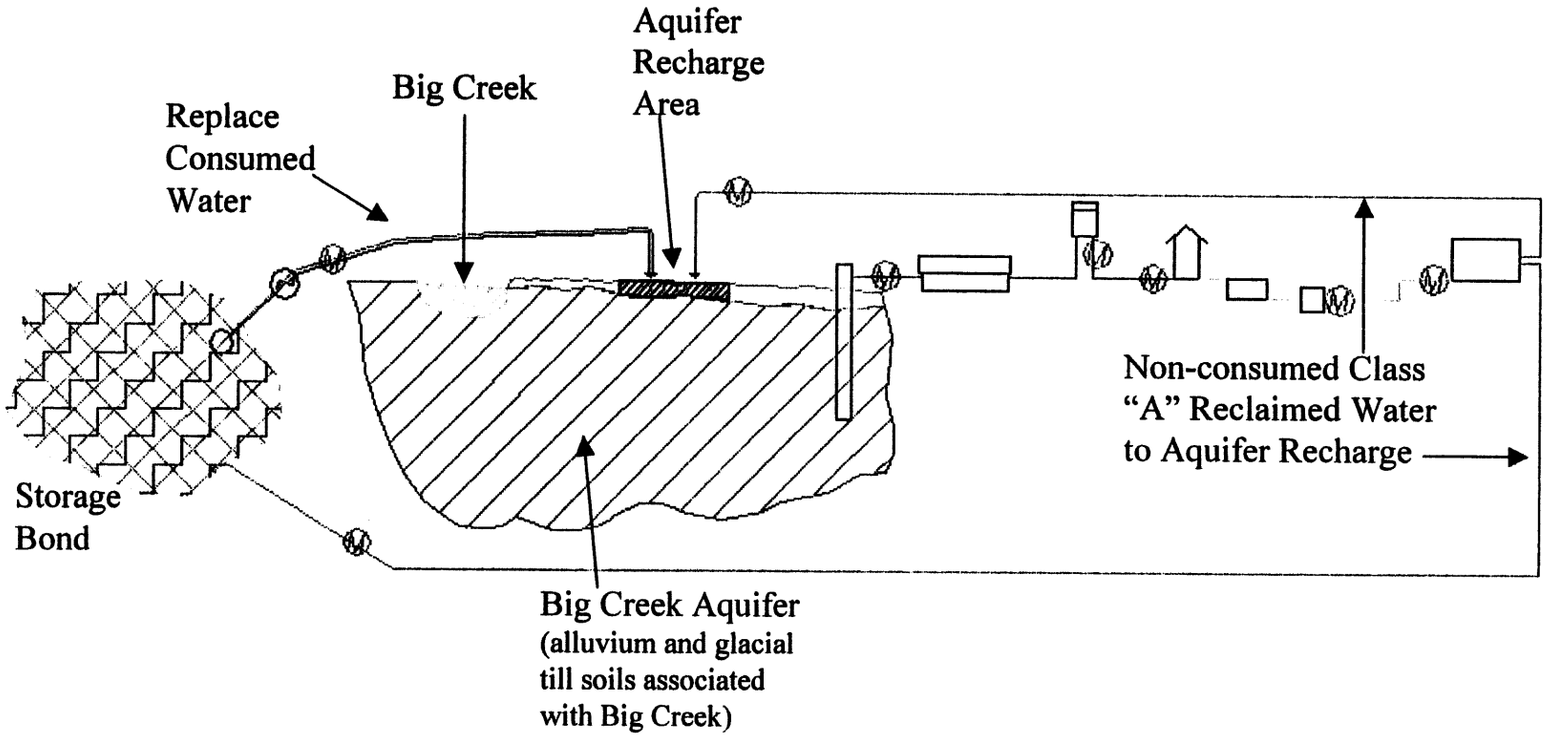
Non-consumed Class "A" Reclaimed H2O

Slide 13



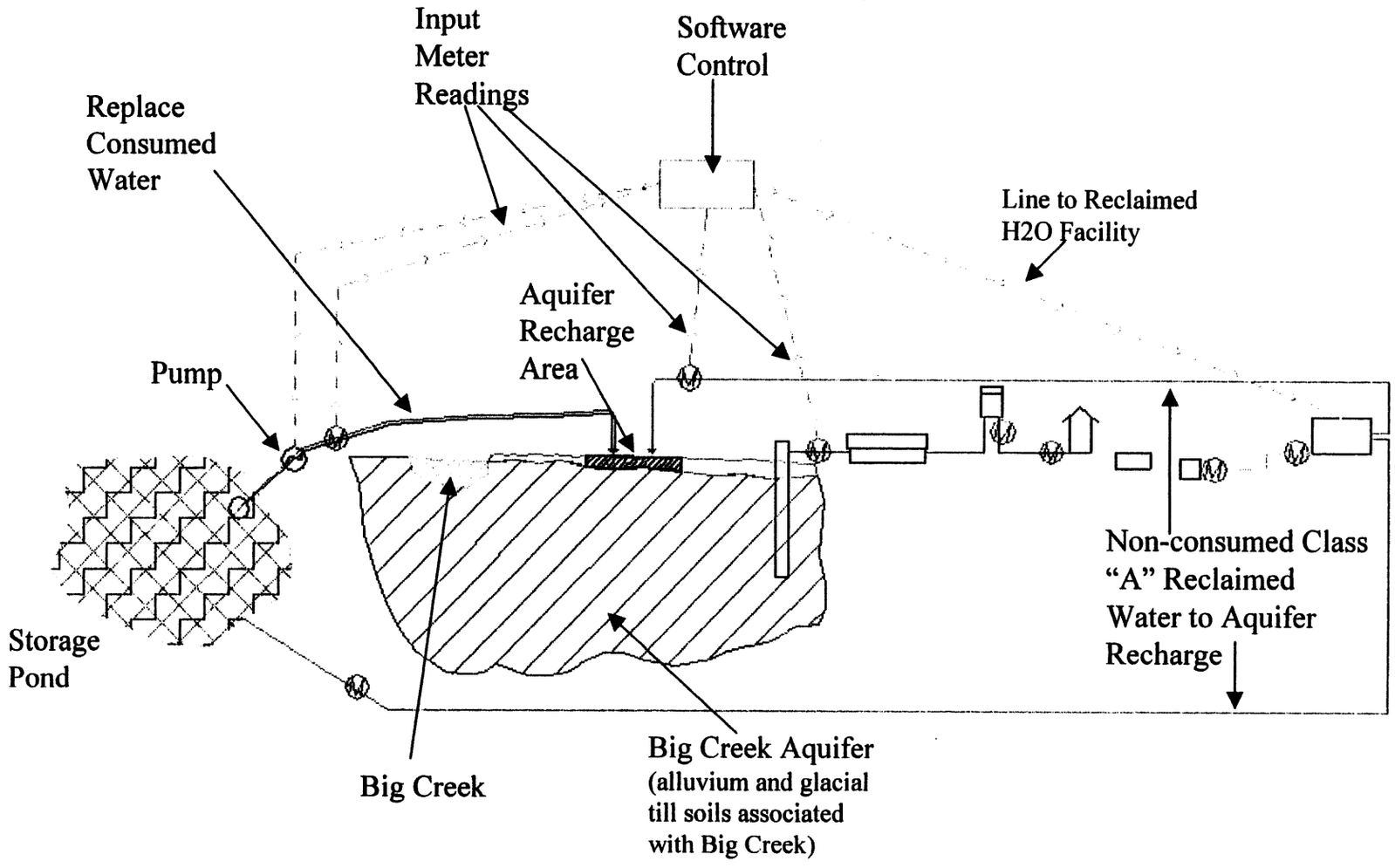
Consumed H2O Replacement

Slide 14



Complete System

Slide 15



Software Control

Slide 16

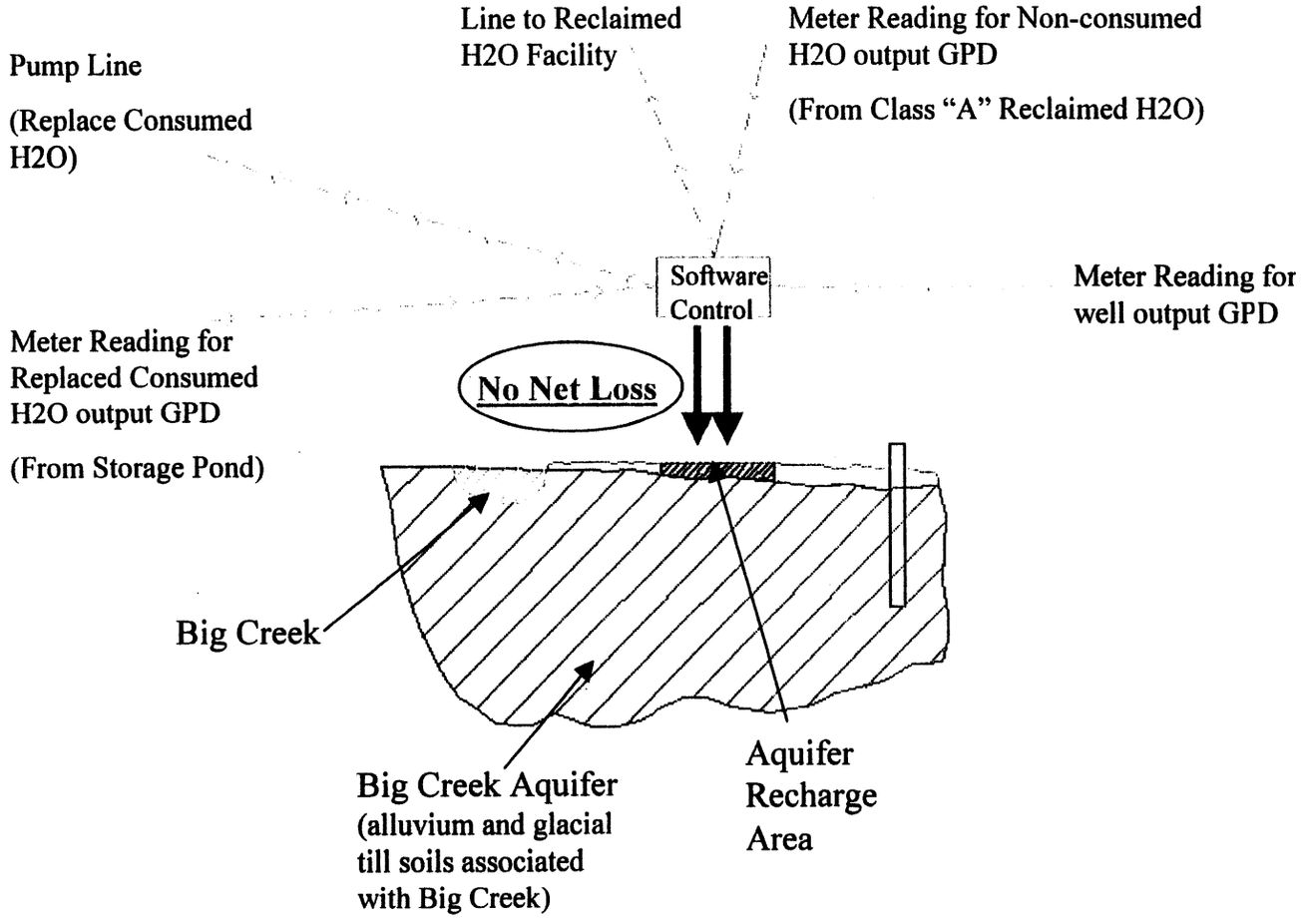


EXHIBIT 5
TO REPORT OF EXAMINATION
APPLICATION # KITT-06-09

AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: **Diane Ewing** being first duly sworn on oath, deposes and says: That she is the **Office Manager** for the Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to. Published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of

NOTICE OF APPLICATION TO CHANGE THE WATER RIGHT, EVIDENCED BY COURT CLAIM NO. 00756 TEANAWAY RIDGE, L.L.C.

As is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 2 week(s), commencing on the following days.

JUNE 9, 2006
JUNE 16, 2006

All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of **$283.09** rate of $6.98 per column inch for each insertion.

Diane Ewing

Subscribed to me this 20 day of June, 2006.

Patsy A Tenney

PATSY A TENNEY

Notary Public in and for
The State of Washington
Residing at Ellensburg,
Washington (SEAL)

Notary Public
State of Washington
PATSY A. TENNEY
My Appointment Expires Aug 19, 2009

BEFORE THE KI CAS COUNTY WATER CONSEK NCY BOARD ELLENSBURG, WASHINGTON

Notice of Application to Change the Water Right. Evidenced by Court Claim No. 00756, confirmed by Conditional Final Order entered in State v. Acquavella, Yakima County Court No. 77-2-01484-5, set forth on page 60 of the Second Supplemental Report of Referee Re: Subbasin No. 2.

TAKE NOTICE: That on June 6, 2006, Teanaway Ridge L.L.C. filed an application with the Kittitas County Water Conservancy Board to (1) change the purpose of use to Municipal Supply Purposes as defined in RCW 90.03.015(4)(a) &(c), and (2) change the point of diversion from a surface diversion to a groundwater point of withdrawal, and (3) the place of use to a portion of a water right as hereafter described and (4) change the period of use to continuous. Said application is assigned Board No. KITT06-09.

That said water right, with a priority date of June 30, 1889, authorizes the withdrawal of up to .34 cubic feet per second ("cfs") and 81.60 acre feet yearly ("afy") from Big Creek in Kittitas County, for the purpose of irrigation of 17 acres and stockwatering between May 1 and September 1 of each year for irrigation and continuously for stockwatering. The point of diversion from Big Creek is within the SW 1/4 of the SE 1/4 Sec. 29, Twp. 20 N., Range 14 E.W.M. The place of use is the portion of the S 1/2 of the NE 1/4 of Sec. 29, Twp. 20 N., Range 14 E.W.M. lying south of the Kittitas Reclamation District Canal and east of Big Creek except the east 400 feet thereof.

The application requests a change of the point of diversion, place of use, period of use and purpose of use of the aforenoted water right as follows:

1. One point of withdrawal (from groundwater associated with Big Creek) within the NE 1/4 of the SE 1/4 Sec. 29, Twp. 20 N., Range 14 E.W.M.; and

2. For continuous (year round) Municipal Water Supply purposes as defined in RCW 90.03.015(4)(a) &(c); and

3. To be used within portions of the N 1/2 of the NW 1/4 of the SE 1/4, the S 1/2 of the NW 1/4 of the SE 1/4, the SW 1/4 of the SE 1/4, the SE 1/4 of the SE 1/4 and the W 1/2 of the NE 1/4 of the SE 1/4 of Section 29, T. 20 N, R. 14 East, W.M. and the NW 1/4 of the NE 1/4, and the E 1/2 of the NE 1/4of Section 32, T. 20 N, R. 14 East, W.M. as more exactly described in the application on file; and

Any protests or objections to the approval of this application may be filed with the Department of Ecology and must include a detailed statement of the basis for objections; protests must be accompanied by a fifty dollar ($50.00) recording fee and filed with the Department of Ecology, 15 West Yakima Avenue, Suite 200, Yakima, WA 98902-3452, within thirty (30) days from the last date of publication.

BEFORE THE KITTITAS COUNTY
WATER CONSERVANCY BOARD
ELLENSBURG, WASHINGTON

Notice of Application to Change the Water Right, Evidenced by Court Claim No. 00756, confirmed by Conditional Final Order entered in State v. Acquavella, Yakima County Court No. 77-2-01484-5, set forth on page 60 of the Second Supplemental Report of Referee Re: Subbasin No. 2.

TAKE NOTICE: That on June 6, 2006, Teanaway Ridge L.L.C. filed an application with the Kittitas County Water Conservancy Board to (1) change the purpose of use to Municipal Supply Purposes as defined in RCW 90.03.015(4)(a) &(c), and (2) change the point of diversion from a surface diversion to a groundwater point of withdrawal, and (3) the place of use to a portion of a water right as hereafter described and (4) change the period of use to continuous. Said application is assigned Board No. KITT-06-09.

That said water right, with a priority date of June 30, 1889, authorizes the withdrawal of up to .34 cubic feet per second ("cfs") and 81.60 acre feet yearly ("afy") from Big Creek in Kittitas County, for the purpose of irrigation of 17 acres and stockwatering between May 1 and September 1 of each year for irrigation and continuously for stockwatering.. The point of diversion from Big Creek is within the SW¼ of the SE ¼ Sec. 29, Twp. 20 N., Range 14 E.W.M. The place of use is the portion of the S½ of the NE ¼ of Sec. 29, Twp. 20 N., Range 14 E.W.M. lying south of the Kittitas Reclamation District Canal and east of Big Creek except the east 400 feet thereof.

The application requests a change of the point of diversion, place of use, period of use and purpose of use of the aforenoted water right as follows:

1. One point of withdrawal (from groundwater associated with Big Creek) within the NE ¼ of the SE ¼ Sec. 29, Twp. 20 N., Range 14 E.W.M.; and

2. For continuous (year round) Municipal Water Supply purposes as defined in RCW 90.03.015(4)(a) &(c); and

3. To be used within portions of the N ½ of the NW ¼ of the SE ¼, the S ½ of the NW ¼ of the SE ¼, the SW ¼ of the SE ¼, the SE ¼ of the SE ¼ and the W ½ of the NE¼ of the SE ¼ of Section 29, T. 20 N, R. 14 East, W.M. and the NW ¼ of the NE ¼, and the E ½ of the NE ¼ of Section 32, T. 20 N, R. 14 East, W.M. as more exactly described in the application on file; and

Any protests or objections to the approval of this application may be filed with the Department of Ecology and must include a detailed statement of the basis for objections; protests must be accompanied by a fifty dollar ($50.00) recording fee and filed with the

Department of Ecology, 15 West Yakima Avenue, Suite 200, Yakima, WA 98902-3452, within thirty (30) days from the last date of publication.

Any interested party may submit comments or other information to the Board regarding this application. The comments and information may be submitted in writing or orally at any public meeting of the Board held to discuss or decide on the application. This application will be on the Board agenda as its regular meetings to be held on June 20 and July 18, 2006, beginning at 2:00 p.m. in the Ellensburg Chamber and Rodeo Office, located at 609 North Main, Ellensburg, Washington 98926. Additionally, the Board may receive written comments or other information within 30 days of the last date of publication of this notice at its offices located at 411 North Ruby, Suite 5, Ellensburg, Washington 98926.

FURTHER TAKE NOTICE that the Board will hold a public hearing at 609 North Main in Ellensburg, Washington, beginning at 2:00 p.m., on July 18, 2006, for the purpose of affording an opportunity for interested persons to comment on the application.

Note to publisher: Publish two times, once each week on same day, for two consecutive weeks.

Lathrop, Winbauer, Harrel, Slothower & Denison L.L.P.
Attorneys at Law
Post Office Box 1088, 201 West Seventh Avenue, Ellensburg, WA 98926
Tel (509) 925-6916
Fax (509) 962-8093

F. Steven Lathrop, P.S.
John P. Winbauer
Susan K. Harrel
Jeff Slothower
James T. Denison, Jr.
D. Keith B. Dunnagan

Mr. Charlie Roe
Perkins Coie LLP
111 Market St NE Ste 200
Olympia, WA
98501-1017

RE: Teanaway Ridge/Big Creek/Ste. Michelle

We transmit the following:

➢ **Original Affidavit of Publication from the Tri City Herald with attachment**

__X__ For your information or for your file.

_____ Please contact Jeff Slothower upon receipt of this letter.

_____ Please sign where indicated and return.

_____ Please review and if changes are desired, please advise.

_____ Other:

Dated: July 6, 2006 Transmitted by: Theresa Sterkel, Legal Assistant to Jeff Slothower

401 CLASS

BEFORE THE KITTITAS COUNTY WATER CONSERVANCY BOARD ELLENSBURG, WASHINGTON

Notice of Application to Change a Portion of the Water Right. Evidenced by Court Claim No. 00169, confirmed by Conditional Final Order entered in State v. Acquavella, Yakima County Court No. 77-2-01484-5, as set forth on pages 94-96 of the Second Supplemental Report of Referee relating specifically to the Olson Ditch's Greene/Pethia portion noted on page 95.

TAKE NOTICE: That on June 6, 2006, Col Solare LLP of Paterson, Washington, filed an application with the Kittitas County Water Conservancy Board to (1) add an additional purpose of use, i.e., instream flow use, and (2) change the point of diversion and the place of use to a portion of a portion of a water right as hereafter described. Said application is assigned Board No. KITT-06-10.

That said water right portion, with a priority date of April 7, 1891, authorizes the withdrawal of up to 17.0 cubic feet per second ("cfs") and 2916.2 acre feet yearly ("afy") from the Yakima River, Kittitas County, for the purpose of irrigation of 115.5 acres. The portion of said right which is the subject of the aforenoted application is for up to 3.72 cfs and 250.8 afy, pro-rated to certain time-periods between April 1 and October 31 of each year, related to the irrigation of 76.0 acres. The point of diversion from the Yakima River is within the NE¼ of the NW¼ of the SE¼ of Sec. 12, Twp. 18 N., Range 17 E.W.M. The period of use is April 1 through October 31. The place of use is the portion of the E½ of Sec. 28, Twp. 18 N., Range 18 E.W.M. lying northeast of the Burlington Northern Railroad right-of-way and southwest of Reecer Creek.

The application requests a change of the point of diversion and places of use of the aforenoted portion of the water right, namely up to 3.72 cfs and 250.8 afy for irrigation of up to 192 acres, within the following locations in Benton County:

1. Up to four points of withdrawal (from groundwater associated with the Yakima River) within:

a. The E½ of the SW¼ of the SW¼ of Section 5, Township 9 North, Range 27 E.W.M.;

b. The E½ of the NW¼ of the SW¼ of Section 5, Township 9 North, Range 27 E.W.M.;

c. The E½ of the SW¼ of the NW¼ of Section 5, Township 9 North, Range 27 E.W.M.; and

d. The E½ of the NW¼ of the NW¼ of Section 5, Township 9 North, Range 27 E.W.M.

2. To places of irrigation use within portions of the E½ of the SW¼ of the NW¼, and the NW¼ of the NW¼ and the E½ of the NW¼ of Section 5, Township 9 North, Range 27 E.W.M.; the E½ of the NE¼ of the NE¼, the W½ of the NE¼ of the NE¼, the NE¼ of the NW¼, and the NW¼ of the NE¼, and the SE¼ of the NE¼, and the SW¼ of the NE¼ of Section 9, Township 9 North, Range 27 E.W.M.; and the E½ of the SE¼ of the SE¼ of Section 4, Township 9 North, Range 27 E.W.M.

The application further requests the addition of an instream flow purpose of

---

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF FRANKLIN

In the Matter of the Estate of

BRYAN CRAIG BAKER,

Deceased.

No. 06-4-50006-7

AMENDED

NOTICE TO CREDITORS

The Administrator named below has been appointed as Administrator of this estate. Any person having a claim against the decedent must, before the time the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner as provided in RCW 11.40.070 by serving on or mailing to the Administrator or the Administrator's attorney at the address stated below a copy of the claim and filing the original of the claim with the court. The claim must be presented within the later of: (1) Thirty days after the Administrator served or mailed the notice to the creditor as provided under RCW 11.40.020(3); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim is forever barred, except as otherwise provided in RCW 11.40.051 and 11.40.060. This bar is effective as to claims against both the decedent's probate and nonprobate assets.

Date filed with Clerk: February 1, 2006

Date of First Publication: June 9, 2006

Administrator: Terri Kay Baker

Attorney for the Administrator: Harvey Faurholt

Address for Mailing or Service: 10 N. Washington, Ste 1

Kennewick, WA 99336

Telephone: (509) 582-5161

#5821 6/9,16,23

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF BENTON

In the Matter of the Estate of

JULIE ANN PRATHER,

ALEXANDER REED PRATHER,

ALYSHA MARIE PRATHER

Deceased.

No. 06-4-00094-8

NOTICE TO CREDITORS

The Administrator named below has been appointed as Administrator of this estate. Any person having a claim against the decedent must, before the time the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner as provided in RCW 11.40.070 by serving on or mailing to the Administrator or the Administrator's attorney at the address stated below a copy of the claim and filing the original of the claim with the court. The claim must be presented within the later of: (1) Thirty days after the Administrator served or mailed the notice to the creditor as provided under RCW 11.40.020(3); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim is forever barred, except as otherwise provided in RCW 11.40.051 and 11.40.060. This bar is effective as to claims against both the decedent's probate and nonprobate assets.

Date filed with Clerk: April 4, 2006

[illegible]

South 30°09'20 East 240.75 feet; thence South 51°11'20 East 141.47 feet; thence South 79°48'20 East 256.8 feet; thence South 88°31'20 East 332 feet, more or less, to the East line of said subdivision, EXCEPT the Hanks Road and Rothrock Road rights-of-way. Parcel #1-1695-200-0001-000

Per Exhibit B:

Together with a 30 HP Marathon electric motor with a Cornell centrifugal pump; a 10 HP G.E. electric motor with a Cornell centrifugal pump; a 10 HP G.E. electric motor with a Cornell centrifugal pump; a 75 HP unknown make electric motor with an unknown make turbine pump and 6,000 feet of sizes 2 to 6 inch PVC mainline and 41 acres of overhead solid set irrigation system, and any replacements thereof; all of which are hereby declared to be appurtenant thereto. Together with any and all tenements, hereditaments, rights, privileges and appurtenances, including private roads, now or hereafter belonging to or used in connection with the above-described property; and all plumbing, lighting, heating, cooling, ventilating, elevating, watering and irrigation apparatus and other fixtures, now or hereafter belonging to or used in connection with the above-described property, all of which are hereby declared to be appurtenant to said land; and together with all waters and water rights of every kind and description and however evidenced, and all ditches or other conduits, rights therein and rights of way therefore, which now are or hereafter may be appurtenant to said premises or any part thereof, or used in connection therewith.

#5826 6/16,23,30,7/7

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF BENTON

AMENDED

SHERIFF'S NOTICE OF SALE OF REAL PROPERTY

Cause # 05-2-00739-4

Civil Docket #06000532

PLAINTIFF: ASSOCIATES FINANCIAL SERVICES, INC.

vs.

DEFENDANT(s): WILLIAM D. WILLIAMS AND JANE DOE WILLIAMS, HUSBAND AND WIFE; JEAN FOUSE FKA DOMINIQUE BACA AND JOHN DOE FOUSE, WIFE AND HUSBAND, RICHARD P. COYNE AND LINDA COYNE, HUSBAND AND WIFE; RESURGENT CAPITAL SERVICES, L.P. AS ASSIGNEE OF PROVIDIAN NATIONAL BANK; STATE OF WASHINGTON; AND OTHER UNKNOWN PARTIES HAVING AN INTEREST IN PROPERTY HEREIN

Judgment Rendered on: 03/14/2006

Date of Levy: 04/20/2006

TO: WILLIAM D. WILLIAMS AND JANE DOE WILLIAMS, HUSBAND AND WIFE; JEAN FOUSE FKA DOMINIQUE BACA AND JOHN DOE FOUSE, WIFE AND HUSBAND, RICHARD P. COYNE AND LINDA COYNE, HUSBAND AND WIFE; RESURGENT CAPITAL SERVICES, L.P. AS ASSIGNEE OF PROVIDIAN NATIONAL BANK; STATE OF WASHINGTON; AND OTHER UNKNOWN PARTIES HAVING AN INTER-

DUNLAP HUSBAND AND WIFE, as Grantor(s), to CHICAGO TITLE, as Trustee, to secure an obligation in favor of BENEFICIAL MORTGAGE CORPORATION, as Beneficiary, II. No action is now pending to seek satisfaction of the obligation in any Court because of the Grantor's default on the obligation secured by said Deed of Trust/Mortgage. III. The Beneficiary alleges default of the Deed of Trust for the failure to pay the following amounts now in arrears and/or other defaults, to wit: **A. PAYMENT INFORMATION** FROM 06-27-2005 THRU 03-27-2006 NO. PMT 10 RATE 10.899 AMOUNT $641.28 TOTAL $6,412.80 Total Late Charges: $0.00 Advances, Taxes, Impounds, or Other Arrears $147.78 SUBTOTAL $6,560.58 **B. DEFAULT(S) OTHER THAN PAYMENT OF MONEY: DELINQUENT ASSESSMENTS LEVIED BY KENNEWICK IRRIGATION DISTRICT FOR THE YEAR 2003, 2004, 2005.** IV. The sum owing on the obligation secured by the Deed of Trust is: The principal sum of $66,645.23, together with interest as provided in the Note or other instrument secured from 05-27-2005, and such other costs and fees as are provided by statute. V. The above-described real property will be sold to satisfy the expense of sale and the obligation secured by said Deed of Trust as provided by statute. Said sale will be made without warranty, expressed or implied, regarding title, possession, encumbrances on 06-30-2006. The defaults referred to in Paragraph III must be cured by 06-19-2006, (11 days before the sale date) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time before 06-19-2006 (11 days before the sale), the default as set forth in Paragraph III is cured and the Trustee's fees and costs are paid. The sale may be terminated and discontinued any time after 06-19-2006, (11 days before the sale date) and before the sale, by the Grantor or his successor-in-interest or by the holder of any recorded junior lien or encumbrance by paying the principal and interest, plus costs, fees and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust, plus the Trustee's Fees and costs including the Trustee's reasonable attorney's fees, and curing all other defaults. VI. A written Notice of Default was transmitted by the Beneficiary or Trustee to the Grantor or the Grantor's successor-in-interest at the following addresses: JAMES J DUNLAP 25704 S 1005 PR SE KENNEWICK, WA 99338-1169 DEBORAH L DUNLAP 25704 S 1005 PR SE KENNEWICK, WA 99338-1169 JAMES J DUNLAP SR 25704 S 1005 PR SE KENNEWICK, WA 99338-1169 OCCUPANTS OF THE PREMISES 25704 S 1005 PR SE KENNEWICK, WA 99338-1169 by both first class and certified mail on 10-10-2005, proof of which is in the possession of the Trustee; and the Grantor or the Grantor's successor-in-interest was personally served with said written Notice of Default, or the written Notice of Default was

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LEGAL ADVERTISING INVOICE

Tri-City Herald

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ONE (509) 582-1500

DATE: 20060616 LEGAL NO. 5827

ACCOUNT NO: 99320

DESCRIPTION: #5827 NOA Kittitas Co. Wa

TIMES: 2 INCHES: 15.91

LD TO: LATHROP, WINBAUTER, HARREL
SLOTHOWER & DENISON LLP
PO BOX 1088

TOTAL $479.09

NOTICE: This is an invoice for legal advertising space. Please pay from this invoice as no statement will be rendered. Please detach at perforation and return with payment.

AFFIDAVIT OF PUBLICATION

COUNTY OF BENTON
ss.
STATE OF WASHINGTON

Vickie Safford, being duly sworn, deposes and says, I am the Legal Clerk of the Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy of a/an #5827 NOA Kittitas Co. Water as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 2 time(s), commencing on 20060609, and ending on 20060616, and that said newspaper was regularly distributed to its subscribers during all of this period.

Vickie Safford

SUBSCRIBED AND SWORN BEFORE ME THIS 20

DAY OF June, 2006

CAROLE CIMPHAKL
COMMISSION EXPIRES
NOTARY
PUBLIC
3-2-07
STATE OF WASHINGTON

Notary public in and for the State
of Washington, residing at Kennewick

COMMISSION EXPIRES 20070302

EXHIBIT 6
TO REPORT OF EXAMINATION
APPLICATION # KITT-06-09

Jeff Slothower

From: Stan Isley [sisley@pn.usbr.gov]
Sent: Monday, October 17, 2005 6:00 PM
To: ron@bentonrea.com; dmbyrnes@bpa.gov; agravley@buckgordon.com; kallston@celp.org; snixon@celp.org; danagarner@charter.net; dbrown@ci.yakima.wa.us; tcowan@cowanmoore.com; tcowan@cowanwalker.com; HARVEPJH@dfw.wa.gov; renfrbr@dfw.wa.gov; dhal461@ECY.WA.GOV; PCRA461@ECY.WA.GOV; RBAR461 @ECY.WA.GOV; carpentr@elltel.net; johngilreath@elltel.net; krdoffice@elltel.net; nsid@elltel.net; nsid2@elltel.net; mark_miller@fws.gov; lmartin@halversonlaw.com; jklos@jemdev.com; MDifani@kid.org; mmacon@kid.org; revans@kid.org; wpope@kid.org; Jeff Slothower; mentor@mentorlaw.com; Morin@mentorlaw.com; Turner@mentorlaw.com; Dale.Bambrick@noaa.gov; Kale.Gullett@noaa.gov; kiyak@nwinfo.net; Alan Scherzinger; Carron Helberg; Christopher Lynch; Dar Crammond; David Kaumheimer; David Murillo; James Esget; Norbert Ries; Quentin Kreuter; Stephen Fanciullo; smidistrict@qwest.net; chad@rossmgt.com; bob@roundtableassociates.com; tmonroe@Roza.org; bradyl@svid.org; schrammd@svid.org; trullj@svid.org; jdavis@talbottlaw.com; kelly@thewatertrust.org; goldstein@ups.edu; mike-tobin@wa.nacdnet.org; lisa@warivers.org; landry@waterexchange.com; seely@waterexchange.com; JeffSchuster@worldnet.att.net; jim@wrm4water.com; cranes@yakama.com; markj@yakama.com; ringt@yakama.com; RickDieker@yvn.com
Subject: Re: Another Change Application - Chateau Ste.Michelle/Griffith Big Creek Water Right

Attachments: Ste.Michelle.doc

Ste.Michelle.doc
(40 KB)

10-17-05

Hello Everyone;

I was appointed stream patrolman for the Teanaway River subbasin and Big Creek by the Yakima Adjudication Court in August 1998. I've monitored the water use under the Gerry Griffith Big Creek water right since that time.

This 1889-priority Griffith water right enjoys full-season availability from Big Creek every year.

Mr. Griffith has fully exercised his water right, up to the limits of his court-confirmed quantities, for irrigation of 17 acres and year-round stock water supply, from 1998 right up to the construction of the new pipeline system for the Big Creek Water Users Association (BCWUA) in 2004. Mr. Griffith shared the use of the BCWUA ditch system with other water right holders who upgraded from an open ditch system to a pipeline system in 2004. Mr. Griffith had a lateral off the BCWUA ditch that delivered open gravity flow water, continually, to the upper end of his property, where he flood irrigated his pasture. Mr. Griffith pastured and watered 10 - 15 head of bison on his property year-round.

During BCWUA pipeline construction in the summer of 2004, Mr. Griffith's water diversion and irrigation use were periodically interrupted, but he still worked to exercise his water right to the fullest extent possible. Then Mr. Griffith sold his water right to Chateau Ste. Michelle. The Griffith water right was not used in the 2005 irrigation season.

I see no problem with the downstream transfer of the Griffith Big Creek water right to the Chateau Ste. Michelle property on Red Mtn. downstream of Benton City and with the creation of an instream flow/fish enhancement trust water right in Big Creek and the Yakima River between the original point of diversion and the new proposed diversion point for the Red Mtn. property.

So long as consumptive use (in other words, the annual consumptive quantity - ACQ) under the transferred water right is NOT increased, I see no problem with the proposed "spreading" of the water right to a 'greater-than-17-acre' place of use on Red Mtn.

If the season of use for this water right can be extended to October 31 without causing detriment or injury to other existing water rights and without exceeding the quantities confirmed for the right, including its ACQ, I do not object to extending its season of use.

Finally, this change application proposes to transfer the Griffith surface water right to a well as the Chateau Ste. Michelle source of withdrawal on Red Mtn. I do not object to this proposal so long as the well withdraws water in substantial hydraulic continuity with the Yakima River and so long as the well does not cause detriment or injury to other existing water rights, including area well rights.

I hope this info helps.

Stan

*_____

>>> "Crane, Philip G." <PCRA461@ECY.WA.GOV> 10/17/2005 11:26:41 AM >>>

Attached is another one-pager describing a proposed change to a water right in the Yakima basin. Email me back with any comments. This transfers a water right from Big Creek in the Kittitas Valley to the Red Mountain area in Benton County.